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***Political Affairs***  
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**Soviet Union**  
**Political Affairs**  
**LOCAL ELECTION LEGISLATION**

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*11 December 1990*

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## Armenian SSR

### Armenian SSR Draft Law on Election of People's Deputies for Local Soviets

90US0085A Yerevan KOMMUNIST in Russian  
8 Sep 89 pp 1-3

[“Draft Law of the Armenian Soviet Socialist Republic on Elections of People's Deputies of Local Soviets of the Armenian SSR People's Deputies”]

#### [Text] I. General Provisions

##### Article 1. Principles of the Election of People's Deputies of Local Soviets of People's Deputies of the Armenian SSR

Elections of people's deputies of rayon, city, city rayon, settlement, and village Soviets of People's Deputies of the Armenian SSR shall be held in single-mandate election okrugs on the basis of the free exercise of universal, equal, and direct suffrage, by secret ballot.

##### Article 2. Universal Suffrage

Elections of people's deputies of local Soviets shall be universal: citizens of the Armenian SSR who have attained the age of 18 shall have the right to elect and be elected.

Any direct or indirect restrictions on the voting rights of citizens of the Armenian SSR on grounds of origin, social or property status, racial or ethnic affiliation, sex, education, language, attitude toward religion, length of residence in a given locality, or kind and nature of occupation shall be prohibited.

Elections shall not be participated in by mentally ill citizens judged incompetent by a court, or persons held in places of incarceration, also persons held in places of mandatory medical treatment by court decision.

##### Article 3. Equal Suffrage

Elections of people's deputies of local soviets shall be equal: every voter shall have one vote; voters shall take part in elections on an equal basis.

Women and men shall have equal voting rights.

Military servicemen shall exercise the right to vote on an equal footing with all citizens.

##### Article 4. Direct Suffrage

Elections of people's deputies of local soviets shall be direct: people's deputies shall be elected directly by citizens.

##### Article 5. Secret Ballot

Voting in elections of people's deputies of local soviets shall be secret; no monitoring of voters' expression of their will shall be permitted.

##### Article 6. Holding of Elections by Election Commissions

The holding of elections of people's deputies of local soviets shall be handled by election commissions which shall be made up of representatives of labor collectives, social organizations, assemblies of voters in their place of residence, and servicemen in military units.

##### Article 7. Glasnost in the Preparation and Holding of Elections of People's Deputies of Local Soviets

The preparation and holding of elections of people's deputies of local Soviets of People's Deputies of the Armenian SSR shall be carried out by election commissions, labor collectives, and social organizations in an open and public manner.

Election commissions shall inform citizens about their work, about the formation of election okrugs, the composition, location, and operating hours of election commissions and lists of voters. Election commissions shall notify citizens of the results of registration of candidates for people's deputies, biographical data concerning registered candidates, the basic provisions of their pre-election programs, and the results of the vote for every candidate and the results of the elections.

The right to attend meetings of election commissions, including those involving the registration of candidates for deputy, the counting of votes in an election okrug, determination of the results of the election in the okrug, and the tallying of the total results of the elections shall pertain to representatives of labor collectives, social organizations, assemblies of voters in their place of residence and servicemen in military units, higher-level election commissions, and soviet organs, also accredited representatives as well as representatives of the press, television, and radio, who shall in good time, but not later than three days prior to the elections, so notify the respective election commission. The number of representatives of labor collectives, social organizations, assemblies of voters, and military units shall be determined by the respective election commission.

The mass information media shall publicize the course of the preparation and holding of elections of people's deputies of local soviets. They shall be guaranteed unimpeded access to all meetings and sessions relating to the elections. Election commissions, state and social organs, and labor collectives shall provide them with information relating to the preparation and holding of the elections.

##### Article 8. Participation by Citizens, Labor Collectives, and Social Organizations in the Preparation and Holding of Elections of People's Deputies of Local Soviets

Citizens of the Armenian SSR shall take part in the preparation and holding of elections of people's deputies of local soviets both directly and through labor collectives, social organizations, assemblies of voters in their place of residence, and servicemen in military units.

Labor collectives and social organizations shall take part in the preparation and holding of elections of people's deputies of local soviets both directly and through their representatives to the election commissions.

**Article 9. The Right to Nominate Candidates for People's Deputies of Local Soviets**

The right to nominate candidates for people's deputies of local soviets shall pertain to labor collectives, social organizations, assemblies of voters in their place of residence, and servicemen in military units.

**Article 10. Voters' Mandates to People's Deputies of Local Soviets**

Voters shall give their deputies mandates.

The procedure for submitting, generalizing, examining, and organizing the implementation of mandates shall be established by the Law of the Armenian SSR.

**Article 11. Incompatibility of the Status of People's Deputy of a Local Soviet with an Official Position**

Persons who are members of executive committees of local Soviets of People's Deputies (with the exception of the chairmen of such organs), officials of departments and administrations of executive committees of local soviets, and people's judges, may not serve as people's deputies of the respective local soviet.

**Article 12. Expenses Connected with Elections of People's Deputies of Local Soviets. Material Support of Elections**

Expenses connected with the preparation and holding of elections of people's deputies of local soviets shall be paid by the state.

Enterprises, institutions, organizations, state and social organs shall place at the disposal of the election commissions the necessary facilities, equipment, and transport for the preparation and holding of elections.

Candidates for people's deputies of local soviets, their accredited representatives, and constituents shall not bear any expenses relating to the preparation and holding of elections.

**Article 13. Responsibility for Violation of Legislation Concerning Elections**

Any persons who, via coercion, deception, threats, or any other means shall impede the free exercise by a citizen of the Armenian SSR of the right to elect or be elected a people's deputy of a local soviet and to conduct pre-election agitation, also any members of election commissions and officials of state and social organs guilty of forging election documents, knowingly miscounting votes, violating secret ballot, or committing other violations of the present Law, shall bear responsibility stipulated by the law. Legal action shall also be

instituted against persons who publish or otherwise disseminate false information about a candidate for deputy.

Reports of violations of legislation concerning elections that come in to the election commissions or state and social organs during the preparation and holding of elections or thereafter must be reviewed within a three-day period; those submitted on election day shall be reviewed immediately.

**II. Procedure for Scheduling Elections and Forming Election Okrugs**

**Article 14. Scheduling of Elections**

Elections of people's deputies of all local soviets shall be held simultaneously and shall be scheduled by the Armenian SSR Supreme Soviet not later than three months prior to the expiration of the term of office of people's deputies of local soviets.

Announcement of the day of elections shall be published in the press.

**Article 15. Procedure for the Formation of Election Okrugs**

For the election of people's deputies of local soviets, election okrugs shall be formed:

- in the Yerevan City Soviet of People's Deputies, 300 okrugs;
- in a rayon soviet of people's deputies, from 75 to 125 okrugs;
- in a city soviet of people's deputies (cities under republic jurisdiction), from 50 to 200 okrugs;
- in a city rayon soviet of people's deputies (cities under rayon jurisdiction), from 50 to 75 okrugs;
- in a city rayon soviet of people's deputies, from 100 to 175 okrugs;
- in a settlement or village soviet of people's deputies, from 25 to 50 okrugs.

Within the limits of norms established by the present Article, on recommendations of the respective Soviets of People's Deputies, the number of election okrugs for elections shall be determined:

- in city (cities under republic jurisdiction) and rayon soviets of people's deputies, by the Armenian SSR Supreme Soviet or its presidium;
- in city rayon, city (cities under rayon jurisdiction), settlement, and village soviets of people's deputies, by the next higher Soviet of People's Deputies or its presidium.

Election okrugs shall be formed by the respective election commissions, taking account of the administrative-territorial division and other characteristics of the territory, in compliance with the basic principle of an equal number of voters per deputy mandate.

By way of exception, with the consent of the Armenian SSR Supreme Soviet or its Presidium, a smaller or greater number of election okrugs than is stipulated by the present Article may be formed for elections to local soviets of people's deputies.

Lists of election okrugs, noting their boundaries and number of voters, shall be published by the respective election commissions not later than on the tenth day after the scheduling of the elections.

### III. Election Districts

#### Article 16. Formation of Election Districts

For purposes of conducting the voting and counting votes in the election of people's deputies of local soviets, the territory of rayons, cities, city rayons, settlements, and village soviets shall be divided into election districts which shall be used jointly for the election of people's deputies of rayon and lower-level soviets and city and city rayon soviets, respectively. Election districts shall also be formed in military units and form part of election okrugs in places where units are stationed.

Election districts may be formed in sanatoria and vacation houses, in hospitals and other permanent medical treatment facilities, and in places where citizens stationed in distant and remote regions are located.

#### Article 17. Procedure and Norm for the Formation of Election Districts

Election districts shall be formed by rayon, city (except for cities under rayon jurisdiction), and city rayon soviets of people's deputies or their presidiums in consultation with the respective election commissions. In military units, election districts shall be formed by local soviets or their presidiums at the request of unit commanders or troop formation commanders.

Election districts shall be formed not later than 45 days prior to elections. In military units and in distant and remote regions, election districts shall be formed within the same time period and, in exceptional cases, not later than five days prior to the elections.

Election districts shall be formed to comprise at least 20 and not more than 3000 voters.

In exceptional cases, a Soviet of People's Deputies or its presidium, or the commander of a military unit, shall have the right to form an election district having a greater or lesser number of voters.

The respective local Soviet of People's Deputies, or its presidium, shall establish uniform numbering of election districts within the rayon, city, or city rayon, and shall

notify voters of the boundaries of each election district, indicating the location of the district election commission and the polling place.

### IV. Election Commissions

#### Article 18. System of Election Commissions

For holding elections of people's deputies of local soviets, the following election commissions shall be formed:

- rayon, city, city rayon, settlement, and village election commissions;
- district election commissions.

#### Article 19. Formation of Rayon, City, City Rayon, Settlement, and Village Election Commissions for Elections of People's Deputies of Local Soviets

Rayon, city, city rayon, settlement, and village election commissions shall be formed by the respective Soviets of People's Deputies or their presidiums not later than the 15th day after the scheduling of elections, made up of 9 to 13 commission members.

Representatives to election commissions shall be nominated by labor collectives or their councils, rayon, city, and city rayon organs of social organizations, their primary organizations, assemblies of voters in their place of residence, and servicemen in military units. An assembly of voters in their place of residence shall be convened by the respective soviet or its presidium, provided the initiative to hold the assembly is supported by at least 50 voters of the okrug.

An assembly shall be empowered to nominate representatives to a rayon, city, city rayon, settlement, or village election commission provided the assembly is participated in by at least 75 voters.

A decision to nominate a representative to a rayon, city, city rayon, settlement, or village election commission shall be considered passed provided at least 50 percent of participants in the assembly have voted in favor of him.

The term of office of election commissions listed in Part 1 of the present Article shall be five years.

#### Article 20. Powers of Rayon, City, City Rayon, Settlement, and Village Election Commissions for Elections of People's Deputies to Local Soviets

A rayon, city, city rayon, settlement, or village election commission shall:

- 1) monitor the execution of the present Law within the territory of the respective local soviet;
- 2) form election okrugs;
- 3) supervise the activities of district election commissions;

- 4) distribute funds to district election commissions; monitor to see that district election commissions are provided with facilities, transport, and communications and examine other matters of material-technical support for elections;
- 5) see to the preparation of ballots for elections of people's deputies of local soviets in accordance with the form stipulated by the Armenian SSR Supreme Soviet or its Presidium;
- 6) hear reports by district election commissions, executive and administrative organs of local soviets, and officials of enterprises, institutions, and organizations regarding matters relating to the preparation and holding of elections;
- 7) monitor the compilation of voters' lists by district election commissions and their submission for public inspection;
- 8) assist in the organization of the nomination of candidates for people's deputies of the respective local soviet;
- 9) register nominated candidates for people's deputies, and their accredited representatives, and issue them the appropriate credentials;
- 10) publish announcements concerning the composition of the registered candidates for people's deputies of the respective local soviets;
- 11) see to the publication of posters carrying biographical data concerning candidates for people's deputies;
- 12) collaborate with labor collectives and social organizations on organizing meetings between candidates for people's deputies and their constituents both in the labor collectives and in places of residence;
- 13) approve the text of ballots for the election okrug and provide them to the district election commissions;
- 14) determine and publish in the press the results of elections of people's deputies of the respective local soviets;
- 15) register elected people's deputies and issue people's deputies certificates of election;
- 16) pass on to the credentials commission of the respective local soviet the necessary documentation to verify the credentials of people's deputies;
- 17) make decisions as to holding runoffs and repeat elections;
- 18) organize elections of people's deputies of the respective local soviet to replace deputies who have been removed, and carry out the holding of such elections;
- 19) decide issues relating to the holding of a recall of people's deputies of the respective local soviet;
- 20) see to procedures and timetables of the safekeeping of election documents as stipulated by the Armenian SSR Supreme Soviet or its Presidium;
- 21) examine declarations and complaints concerning decisions and actions by district election commissions and make decisions regarding them;
- 22) exercise other powers in accordance with the present Law.

#### **Article 21. Formation of District Election Commissions**

District election commissions shall be formed not later than 45 days prior to elections, and shall consist of 5 to 13 members. Where necessary, by decision of the respective soviets of people's deputies or their presidiums, the number of district election commissions may be increased or reduced.

Representatives to district election commissions shall be nominated by labor collectives or their councils, rayon, city, and city rayon organs of social organizations and their primary organizations, organs of public social initiative, assemblies of voters in their place of residence, and servicemen in military units.

An assembly of voters in their place of residence shall be convened by the respective soviet or its presidium provided that the initiative to hold such assembly is supported by at least 30 voters of the election district.

An assembly shall be empowered to nominate representatives to a district election commission provided such assembly is participated in by at least 50 voters.

A decision to nominate a representative to a district election commission shall be considered passed provided at least 50 percent of the participants in the assembly voted for him.

District election commissions shall be formed by rayon, city (except for cities under rayon jurisdiction), and city rayon soviets of people's deputies or their presidiums.

The powers of district election commissions shall be terminated after recognition of the credentials of elected people's deputies by the respective soviet.

#### **Article 22. Powers of the District Election Commissions**

The district election commission shall:

- 1) collaborate with labor collectives and social organizations on the organization of meetings between deputy candidates and the voters both in the collectives and in places of residence;
- 2) compile a list of voters in the district;
- 3) acquaint voters with the voters' list; receive and examine declarations concerning inaccuracies in the list; and decide matters concerning the introduction of appropriate changes in it;

- 4) inform the public of the location of the district election commission and its hours of operation, also the day of the elections and the polling place;
- 5) see to the preparation of polling facilities and voting booths and ballot boxes;
- 6) organize the voting on election day in the election district;
- 7) carry out the counting of the votes given in the election district;
- 8) examine declarations and complaints concerning matters of preparing the elections and organizing the voting in the election district, and make decisions regarding them;
- 9) exercise other powers in accordance with the present Law.

#### **Article 23. Procedure for Nominating Representatives to Election Commissions and Changing Their Composition**

In order to determine the labor collectives and social organizations nominating representatives on the commissions, the respective soviets of people's deputies or their presidiums may, when necessary, hold conferences of authorized labor collectives and social organizations located within the territory of the local soviet, within the boundaries of the election okrug and election district.

The composition of the election commissions shall be published for public information.

The chairman, deputy chairman, secretary, or member of an election commission may be dismissed from his duties on the commission by the soviet of people's deputies which formed it, or its presidium, at his personal request or on recommendation of the labor collective, organ of the social organization, assembly of voters in their place of residence, or servicemen of a military unit which nominated him to membership on the commission. The nomination of a new representative on the election commission shall be conducted according to procedures stipulated by the present Law.

#### **Article 24. Organization of the Work of Election Commissions**

The chairman, deputy chairman, and secretary of the election commission shall be elected at the first meeting of the respective commission.

Meetings of an election commission shall be authorized provided they are participated in by at least two thirds of the membership of the commission. Decisions of the commission shall be adopted by open voting, by a majority of the votes of the total membership of the commission. Commission members who disagree with the decision shall have the right to express a separate opinion, which shall be attached in written form to the minutes and submitted for discussion to the next higher election commission.

Decisions which election commissions adopt within the limits of their powers shall be binding on all state and social organs, enterprises, institutions, and organizations.

The decisions and actions of an election commission may be appealed to the next higher election commission, or, in cases stipulated by the present Law, also to a court.

Members of an election commission, including the chairman, deputy chairman, and secretary, may, by decision of the commission, be excused from the performance of production or office duties during the period of preparation and holding of elections, while retaining their average wages and salaries, paid for from funds allocated for the holding of elections. A member of an election commission shall not have the right to take part in campaigning for or against candidates for people's deputies in the respective election okrug.

#### **Article 25. Assistance to Election Commissions in the Exercise of Their Powers**

State and social organs, enterprises, institutions, organizations, and officials shall be obligated to assist election commissions in exercising their powers and to provide them with the necessary material and information for their work.

An election commission shall have the right to address questions to state and social organs, enterprises, institutions, organizations, and officials regarding the preparation and holding of elections, and such entities shall be obligated to examine the question and respond to the election commission not later than within a three-day period.

#### **V. Voters' List**

##### **Article 26. Voters' List and Procedure for Compiling It**

A voters' list shall be compiled for each election district by the district election commission and signed by its chairman and secretary. The district election commission may invite representatives of the public to take part in compiling the list.

Executive committees of city, city rayon, settlement, and village Soviets of People's Deputies shall maintain a register of voters and submit to district election commissions information on voters living in the respective territory such as is necessary to compile the lists, and shall render assistance in compiling voters' lists.

A voters' list of servicemen in military units, as well as members of the families of servicemen, and other voters, provided they live in areas where military units are stationed, shall be drawn up on the basis of data submitted by military unit commanders. Servicemen living outside military units shall be registered on voters' lists in their place of residence, on the usual basis.

Lists of voters who are on vacation or undergoing treatment in sanatoria, vacation houses, hospitals, and

other permanent medical treatment facilities, shall be compiled on the basis of data submitted by the administrators of said institutions.

The surnames of voters shall be indicated on the voters' list in an order which facilitates the organization of the voting.

#### **Article 27. Procedure for Registering Citizens on a Voters' List**

The right to be registered shall pertain to all citizens of the Armenian SSR who shall have attained the age of 18 prior to or on election day, who live within the territory of the respective election district at the time of the compilation of the list, and have the right to participate in the voting.

A voter shall not have the right to be registered on a voters' list in another election district outside his place of residence.

#### **Article 28. Citizens' Inspection of Voters' Lists and the Right to Protest Inaccuracies in a Voters' List**

Voters' lists shall be submitted to public inspection 15 days prior to elections, or, in election districts formed in sanatoria, vacation houses, hospitals, and other permanent medical treatment facilities, two days prior to elections.

Citizens shall be afforded the opportunity to inspect the voters' list and check the accuracy of its compilation on the premises of the district election commission.

Every citizen shall have the right to appeal non-registry, improper registry, or exclusion from the voters' list as well as inaccuracies in the indication of data concerning the voter. Declarations about inaccuracies on the list shall be examined by the district election commission, which shall be obligated to examine the declaration not later than within a two-day period or, on election day or the day before, immediately, to make the necessary corrections in the list, or to give the declarer a copy of the decision explaining the rejection of his declaration. The decision may be appealed to the next higher election commission or the next higher soviet or its presidium, whose decision shall be final. A correction on the voters' list, in accordance with the decision, shall be made immediately by the district election commission.

#### **Article 29. Certificate of the Right to Vote. Supplementary Voters' List**

When a voter changes his place of residence in the period between the time the voters' list is submitted for public inspection and election day, the district election commission, at his request and on presentation of a passport or other document confirming his identity, shall issue the voter a certificate of the right to vote. At the same time, the appropriate notation shall be made in the voters' list.

On the basis of such certificate of the right to vote, the voter shall be registered on the supplementary voters' list on election day in the election district and in his place of residence.

A supplementary voters' list shall be compiled in the election districts on election day and, after the conclusion of the voting, shall be signed by the chairman and secretary of the district election commission.

#### **VI. Nomination and Registration of Candidates for People's Deputies of Local Soviets**

##### **Article 30. Procedure for Nominating Candidates for People's Deputies of Local Soviets**

The nomination of candidates for people's deputies of local soviets shall commence on the 15th day after the scheduling of elections and shall end 45 days prior to elections.

Candidates for deputies shall be nominated by labor collectives, social organizations, assemblies of voters in their place of residence, and military units.

The nomination of candidates for people's deputies of a respective local soviet shall be organized by rayon, city, city rayon, settlement, and village election commissions.

The nomination of candidates for people's deputies by labor collectives shall be conducted at assemblies (conferences) of such collectives of enterprises, institutions, and organizations located within the territory of the respective election okrug.

In large labor collectives, assemblies may be held by shops, sections, shifts, brigades, and other subunits of the enterprise, institution, or organization.

Candidates for deputies shall be nominated by rayon, city, and city rayon organs of social organizations at the plenums of such organizations, and by their primary organizations.

Assemblies of voters in their place of residence for the nomination of candidates for people's deputies shall be convened by the Soviets of People's Deputies or their presidiums, or by rayon, city, city rayon, settlement, and village election commissions, both on their own initiative and at the initiative of social public initiative organs, supported by at least 50 voters of a given election okrug.

An assembly shall be authorized provided it is attended by at least 50 voters living within the territory of the election okrug.

The nomination of candidates for people's deputies of settlement and village soviets shall also be conducted at assemblies and gatherings of citizens in their place of residence.

Assemblies of servicemen to nominate candidates for people's deputies shall be convened by the command headquarters of military units. Should it be impossible to

hold a general assembly of the servicemen of the unit, such assemblies shall be held by subunits [podrazdeleniya].

Assemblies shall be provided with conditions necessary for nominating an unlimited number of candidates and for broad, free discussion of them. Every participant in an assembly shall have the right to make proposals about the candidates, take part in their discussion, support the proposed candidacies, or propose that they be withdrawn. A participant in an assembly may submit his own candidacy for discussion.

Every citizen whose candidacy for the post of deputy is discussed shall state his attitude with regard to proposals and requests made to him by participants in the assembly and shall have the right to declare his withdrawal and give answers or clarifications with regard to questions asked of him.

A decision to nominate a candidate for people's deputy shall be made at an assembly by open or secret ballot. The voting procedure shall be established by the assembly.

A candidate shall be considered nominated provided he has received the votes of more than half of the participants in the assembly or a majority of the total membership of an organ of a social organization. A document concerning the nomination of a candidate for deputy shall be drawn up, and shall be submitted to the respective election commission within a three-day period.

A citizen of the Armenian SSR may not serve simultaneously as a people's deputy in more than two soviets.

#### **Article 31. Registration of Candidates for People's Deputies of Local Soviets**

Candidates for people's deputies of rayon, city, city rayon, settlement, and village soviets shall be registered by the respective rayon, city, city rayon, settlement, and village election commissions.

Candidates for people's deputies of local soviets shall be registered on the recommendation of labor collectives, organs of social organizations, and assemblies of voters in their place of residence and servicemen in military units who have nominated the candidates for deputies.

The registration of candidates for people's deputies shall commence 45 days and end one month prior to election day.

The decision to register candidates for deputies shall be made given the presence of the following documents: minutes of the assemblies or decisions of the respective organs of social organizations on nominating candidates for deputies in the given election okrug, also declarations by candidates for people's deputies giving their consent to run for office in the respective election okrug.

Persons enumerated in Article 11 of the present Law, also persons who simultaneously serve as deputies in two

Soviets of People's Deputies shall, on being nominated as candidates for deputies, indicate in their declarations their intention to vacate their positions in the event that they are elected deputies, or discontinue their deputies' powers in one of the Soviets of People's Deputies, or announce the withdrawal of their candidacies.

A document concerning the registration of candidates for deputies shall be drawn up by the respective election commission. The document concerning registration of the candidate for deputy, and deputies' declarations of their consent to run for office in the respective election okrug, shall be submitted by the election commission to the respective next higher election commission.

All deputy candidates nominated in compliance with the stipulations of the present Law must be registered without fail. A refusal to register a candidate may be appealed within a three-day period to the next higher election commission, Soviet of People's Deputies, or its presidium, respectively.

A candidate for people's deputy may not serve as a member of the respective rayon, city, city rayon, settlement, or village election commission or district election commission of the election okrug in which he has been nominated a candidate for deputy. A person who has been nominated as a candidate for people's deputy and who serves on one of the aforementioned commissions shall be considered as relieved of his duties on the commission from the moment of his registration as a candidate for deputy. A member of an election commission who has been nominated as a candidate for deputy in the okrug within whose territory the election commission functions shall be considered as relieved of his duties on the commission from the moment of his registration as a candidate.

Not later than on the fourth day after registration of a candidate for deputy, the election commission shall publish in the press an announcement concerning the registration, indicating the surnames, given names, father's names, year of birth, position (occupation), and place of work and residence of the registered candidates.

Every registered candidate for people's deputy of a local soviet shall be issued a certificate [udostovereniye].

#### **Article 32. Reversal of a Decision to Nominate a Candidate for People's Deputy of a Local Soviet. Candidate's Withdrawal of his Candidacy**

A labor collective, organ of a social organization, or assembly of voters in their place of residence or servicemen in a military unit who have nominated a candidate for people's deputy of a local soviet shall have the right, at any time prior to the elections, to reverse their decision concerning the nomination of the deputy candidate. A decision on this matter shall be taken on the basis of procedures stipulated for the nomination of candidates for deputies and submitted to the respective election commission.

The population of an election okrug shall be notified of the reversal of a decision to nominate a candidate for deputy, or a candidate's withdrawal of his own candidacy, by the election commission which registered the candidate for deputy.

**Article 33. Procedure for Nominating Candidates for People's Deputies of a Local Soviet to Replace Ones Removed**

In the event of the removal of a candidate for people's deputy of a local soviet after the conclusion of the period of registration of candidates for deputies, the respective election commission shall recommend to labor collectives, social organizations, assemblies of voters in their place of residence, and assemblies of servicemen in military units that they nominate new candidates for deputies.

When candidates for people's deputies are removed less than one month prior to the elections, the election of a people's deputy for the respective election okrug shall be held within a two-month period after the general elections.

The nomination of candidates for deputies to replace ones removed shall be conducted according to procedures stipulated in the present Law.

**Article 34. Ballot**

Ballots shall include an alphabetical list of all registered candidates for people's deputies of local soviets, indicating the surname, given name, father's name, position (occupation), and place of work and residence of each candidate for deputy.

The text of the ballot for the election okrug shall be confirmed by the respective election commission. Ballots shall be printed in the languages in use by the population of the election okrug.

**VII. Basic Guarantees of Activities of Candidates for People's Deputies of Local Soviets**

**Article 35. The Right of a Candidate for People's Deputy of a Local Soviet to Take Part in Assemblies, Make Use of Mass Media, and Obtain Information**

From the time of their registration, candidates for people's deputies of local soviets shall have the right to speak at pre-election and other meetings, conferences, and sessions, and make statements in the press, on television, and on radio.

State and social organs, officials of enterprises, institutions, and organizations, and organs of public social initiative shall be obligated to assist candidates for people's deputies in organizing meetings with voters and obtaining the necessary reference and informational materials.

**Article 36. The Pre-Election Program of a Candidate for People's Deputy**

A candidate for people's deputy of a local soviet shall present a program of his future activities. The deputy candidate's program must not be in conflict with the Constitution of the USSR, the Constitution of the Armenian SSR, or Soviet laws.

**Article 37. Accredited Representatives of a Candidate for People's Deputies of Local Soviets**

A candidate for people's deputy of a local soviet may have up to three accredited representatives who shall assist him in carrying out the election campaign, conduct agitation to elect him as deputy, and represent his interests in relations with state and social organs, voters, and election commissions.

A candidate for people's deputy shall designate accredited representatives at his own discretion and report them to the respective election commission, which, after registering the accredited representatives, shall issue certificates to them.

At the request of a candidate for people's deputy, an accredited representative may, while performing social duties relating to the elections, be excused from the performance of production or office duties while retaining average wages and salaries of their workplace. Expenses incurred by enterprises, institutions, or organizations in connection with this shall, at their request, be reimbursed from funds allocated for the holding of the elections.

An accredited representative may not serve on respective election commissions.

**Article 38. Pre-Election Agitation**

Labor collectives, social organizations, voters in their place of residence and servicemen in military units who have nominated candidates for people's deputies shall have the unimpeded right to agitate for their candidates.

Labor collectives, social organizations, voters in their place of residence, and servicemen in military units shall be provided by the election commissions with furnished facilities for assemblies and rallies, also mass information media for conducting pre-election agitation.

Citizens of the Armenian SSR, labor collectives, and social organizations shall be guaranteed the opportunity for the free and comprehensive discussion of the political, practical, and personal qualities of the candidates for people's deputies, as well as the right to agitate for or against candidates at assemblies, in the press, and on television and radio.

Candidates for people's deputies shall hold meetings with their constituents both at assemblies and in other forms convenient for voters.

Assemblies of voters shall be organized by the respective election commissions and Soviets of People's Deputies or their presidiums, and by organs of social organizations.

Voters shall be informed of the time and place of assemblies and meetings not later than two days beforehand.

Agitation on election day shall be prohibited.

**Article 39. Release of a Candidate for People's Deputy of a Local Soviet From the Performance of Production or Office Duties in Order to Participate in Pre-Election Events**

After registration, a candidate for people's deputy of a local soviet shall, during the time of holding meetings with voters and speaking at rallies and on television and radio, be excused from the performance of production or office duties, while retaining average wages and salary, paid for out of funds allocated for the holding of the elections.

**Article 40. The Right of a Candidate for People's Deputy of a Local Soviet to Free Transport**

After registration, a candidate for people's deputy of a local soviet shall have the right to free transport on all types of passenger transport (with the exclusion of taxis) within the limits of the respective local soviet. A candidate for people's deputy living outside the boundaries of the election okrug shall enjoy the same right to transport to the election okrug and return to his place of residence.

**Article 41. Immunity of a Candidate for People's Deputy of a Local Soviet**

A candidate for people's deputy of a local soviet may not be subject to criminal action, arrest, or measures of administrative penalty applicable in court proceedings without the consent of the respective rayon, city, city rayon, settlement, or village election commission.

**VIII. Procedures of Voting and Tallying the Results of Elections**

**Article 42. Time and Place of Voting**

In elections of people's deputies of local soviets, the voting is held on election day from 7:00 to 20:00 local time. Voters shall be notified of the time and place of the voting by the district election commission not later than 10 days prior to the elections.

In election districts formed in military units and in distant and remote areas where, because of conditions of communications, voters holding voting certificates cannot arrive on election day, the district election commission may declare the voting closed at any time provided that all voters registered on the list have voted.

Under exceptional circumstances, with the authorization of the Armenian SSR Supreme Soviet or its Presidium,

voting in distant and remote areas may be held prior to the scheduled day but not earlier than seven days prior to the general elections.

**Article 43. Organization of the Voting**

The voting shall be held in specially designated facilities which shall be furnished with a sufficient number of voting booths or secret voting chambers, with designated spaces for issuing ballots and the placement of ballot boxes. The ballot boxes shall be installed in a manner such that the voters, on approaching them, shall necessarily go through the booths or secret voting chambers.

Responsibility for organizing the voting, ensuring the secrecy of the voters' expression of their will, furnishing the facilities, and maintaining the necessary order in them, shall be borne by the district election commission.

Prior to the start of the voting on election day, the ballot boxes shall be checked, sealed, or stamped by the chairman of the district election commission in the presence of all members of the commission.

Every voter shall do his own voting: no balloting for other persons shall be permitted. Ballots shall be issued by the district election commission on the basis of the voters' list of the election district on the voter's presentation of a passport or other identification. A notation shall be entered on the voters' list that the ballot has been issued.

In cases where particular voters cannot come to the polling place because of health or other reasons, the district election commission shall, at their request, designate particular members of the commission to organize voting in the domicile of these voters. In such cases, at least two members of the commission shall take part in organizing the voting.

**Article 44. Conduct of the Voting**

Ballots shall be filled in by the voters in the booth or the secret voting chamber. While the ballot is being filled in, the presence of anyone else besides the voter shall be prohibited.

A voter who is unable to fill in the ballot by himself shall have the right to invite another person into the booth or secret voting chamber, at his discretion, except for a member of the election commission.

In electing people's deputies of local soviets, the voter shall cross out on the ballot the surnames of candidates whom he is voting against.

The voter shall drop the filled-in ballot into the ballot box.

**Article 45. Counting the Votes in the Election District**

The counting of the votes in the election district shall be conducted by the district election commission separately in each election okrug and for each candidate for people's deputy.

The ballot boxes shall be opened by the district election commission after the chairman of the commission has announced that the voting is concluded. Opening of the ballot boxes prior to the conclusion of the voting shall be prohibited. Prior to the opening of the ballot boxes, all unused ballots shall be counted and canceled by the district election commission.

The district election commission shall, on the basis of the voters' list, determine the total number of voters in the district, and also the number of voters given ballots. On the basis of the ballots in the ballot boxes, for each election okrug (within the boundaries of the given election district) the commission shall determine the total number of voters who took part in the voting, the number of votes given for and the number of votes given against each candidate, and the number of ballots ruled invalid. Votes for surnames of citizens written in by voters on the ballots shall not be counted.

The results of the counting of the votes shall be examined at a meeting of the district election commission and entered on a document drawn up separately for each election okrug. The document shall be signed by the chairman, deputy chairman, secretary, and members of the commission and immediately submitted to the respective election commission under procedures stipulated by the rayon, city, city rayon, settlement, or village election commission. Attached to the document shall be special opinions of members of the commission, declarations and complaints coming in to the commission concerning violations committed during the voting or in the counting of the votes, and a document [akt] drawn up in the event that the seal or stamp on a ballot box has been damaged.

#### **Article 46. Invalid Ballots**

Ballots of nonstandard form shall be ruled invalid, also ballots on which more than one candidate was retained in the voting. Ballots on which all surnames have been crossed out shall be considered valid, but the votes on them shall be counted as having been given against each candidate.

In the event of any doubts as to the validity of a ballot, the matter shall be decided by the district election commission by means of a vote.

#### **Article 47. Determining the Results of the Elections in an Election Okrug**

In accordance with the present Law, the results shall be determined by the election okrugs for elections of people's deputies of rayon, city, city rayon, settlement, and village soviets of people's deputies, such determination to be made by the rayon, city, city rayon, settlement, and village election commissions on the basis of the documents of the district election commissions for each election okrug and for each deputy candidate.

On the basis of the documents of the district election commissions and the tallying of the votes given in the

election district, the election commissions shall determine: the total number of voters in the okrug; the number of voters receiving ballots; the number of voters taking part in the voting; the number of votes given for and the number of votes given against each candidate for deputy; and the number of ballots ruled invalid.

Votes for surnames of citizens written in additionally on the ballots by the voters shall not be counted.

Those candidates for deputy who received in the elections more than half of the votes of voters taking part in the voting shall be considered as elected.

The results of the elections in an election okrug shall be determined at a meeting of the respective election commission and shall be entered on the document. The document shall be signed by the chairman, deputy chairman, secretary, and members of the commission and shall be submitted to the next higher election commission according to procedures stipulated by it.

#### **Article 48. Ruling of Elections in an Election Okrug as Invalid or Inconclusive [nesostoyavshiesya]**

The respective election commission for elections of people's deputies may rule the elections of the election okrug as invalid owing to violations of the present Law during the course of the elections or during the counting of the votes.

The elections shall be ruled as inconclusive if they were participated in by less than half of the voters registered on the voters' lists, also in connection with the removal of a candidate for deputy if just one candidate was registered in the okrug.

#### **Article 49. Registration of People's Deputies of a Local Soviet**

The respective election commission for elections of people's deputies shall, on the basis of documents concerning the results of the elections, tally the results of the elections and register the people's deputies of the local soviet who was elected for each election okrug.

The election commission may refuse to register a people's deputy and rule the elections to be invalid if there were violations of the present Law in the course of the elections, in the counting of the votes, or in determining the results of the elections.

#### **Article 50. Publication of the Results of the Elections**

Notice of the results of the elections and the list of the elected people's deputies shall be published in the press by the respective election commission not later than five days after the elections.

The notice shall indicate the total number of citizens registered on the voters' lists; the number of voters taking part in the voting; the number of votes for and the number of votes against each candidate; the number of

invalid ballots; and the number of okrugs in which repeat elections or runoffs are to be conducted.

The list of elected people's deputies of the local soviet shall be published in alphabetical order, indicating the surname, given name, father's name, position (occupation), party status, and place of work and residence of the deputy, and the election okrug in which he was elected.

#### **IX. Runoff, Repeat Elections, Elections of People's Deputies of Local Soviets to Replace Ones Removed, and Elections in Newly Formed Administrative-Territorial Units**

##### **Article 51. Runoffs**

If more than two candidates for people's deputies of local soviets were running in the election okrug and neither one was elected, the respective election commission shall decide to hold a runoff in the okrug involving the two candidates for deputy who received the most votes.

The runoff shall be held not later than within a two-week period, in conformity with the stipulations of the present Law. Notice of the holding of the runoff shall be published in the press.

That candidate for deputy shall be considered elected who received in the runoff the greatest number of votes by voters taking part in the voting, compared to the other candidate. In the event that, during the runoff in the election okrug between two candidates for deputy, one of them shall have been withdrawn prior to the runoff day, the election commission shall hold a vote involving the remaining candidate for deputy. The candidate for deputy shall be considered elected if he receives more than half the votes of the voters taking part in the vote.

##### **Article 52. Repeat Elections**

If more than two candidates for people's deputy of local soviets were running in the election okrug and none of them was elected, or if the elections in the election okrug have been ruled inconclusive or invalid, or if the runoff failed to determine the election of a people's deputy, the respective election commission shall decide to hold repeat elections in the election okrug. In doing so, it may decide that it is necessary for elections to be held by okrug and district election commissions made up of new membership [v novom sostave]. The voting shall be held in the same election districts and on the basis of the same voters' lists that were drawn up for the holding of the general elections.

Repeat elections shall be held not later than within a two-month period after the general elections. The formation of the election commissions, the registration of candidates for people's deputies, and other measures shall be carried out under procedures stipulated by the present Law. Notice concerning the holding of the repeat elections shall be published in the press.

#### **Article 53. Elections of People's Deputies of Local Soviets to Replace Ones Removed**

In the event that a local Soviet of People's Deputies rules that the credentials of particular people's deputies are invalid, also in the event of the recall of a people's deputy or the discontinuance of deputy powers prior to expiration of term for other reasons, new elections shall be held in the respective election okrugs within a three-month period from the time of the removal of the deputy.

Elections shall be scheduled by the respective Soviet of People's Deputies or its presidium not later than two months prior to the time they are held, and shall be organized in compliance with the stipulations of the present Law.

In the event of the discontinuance of powers or removal of a deputy prior to expiration of term less than six months prior to the expiration of the term of the local soviet, elections for a people's deputy to replace the one removed shall not be held.

#### **Article 54. Holding of Elections of People's Deputies of Local Soviets in Newly Formed Administrative-Territorial Units**

Elections of people's deputies of local soviets in newly formed administrative-territorial units shall be held in cases where the formation of a local soviet is impossible owing to the complete absence or insufficient number of deputies elected to a soviet within the territory that makes up the newly formed rayon, city, city rayon, settlement, or village soviet.

Elections of people's deputies of a rayon, city, city rayon, settlement, or village soviet shall be scheduled by the next higher Soviet of People's Deputies not later than within a two-month period from the day of the formation of the administrative-territorial unit and shall be held in accordance with procedures stipulated by the present Law.

Voting may be concluded prior to 20:00 hours local time provided all voters registered on the voters' list have voted.

#### **X. Certification of People's Deputy. Forms of Election Documents and Procedures for Their Safekeeping. Model of the Ballot Box**

##### **Article 55. Certification and Badge of a People's Deputy of a Local Soviet**

After the publication in the press of the lists of registered people's deputies, the okrug election commission, or the body carrying out its functions, shall issue each elected deputy a certificate of his election.

After the local Soviet of People's Deputies has confirmed the credentials of the elected people's deputies, the certificates affirming that they have been elected people's deputies that have been issued to them shall be

replaced by the credentials of a people's deputy. A people's deputy shall also be issued the appropriate badge.

In the event of the recall of a people's deputy or the cessation of deputies' powers prior to expiration of term in connection with a court sentence going into effect in regard to a person who is a people's deputy, the people's deputy's credentials and badge shall be returned to the respective local Soviet of People's Deputies.

#### **Article 56. Forms of Election Documents and Model of the Ballot Box**

Forms of voters' lists, documents/minutes of election commissions, the form and color of ballots, forms of credentials of candidates of people's deputies, forms of certificates of accredited representatives, certificates of election as a people's deputy, form of the badge of people's deputy, and also the model of the ballot box shall be established by the Armenian SSR Supreme Soviet or its Presidium.

#### **Article 57. Procedure and Period of Safekeeping of Election Documents**

On the conclusion of the work of the election commissions, their office papers shall be submitted to the respective rayon, city, city rayon, settlement, or village election commissions.

The procedure and period of safekeeping of election documents shall be established by the Armenian SSR Supreme Soviet or its Presidium.

#### **Armenian SSR Local Election Law Comparison**

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[Editorial Report] Yerevan KOMSOMOLETS in Russian on 12 Mar 90 carries on pp 2-3 the Armenian SSR Law on Elections of Peoples Deputies to Armenian SSR Local Soviets of People's Deputies. Comparison of the text of the law to the text of the draft Armenian SSR Law on Elections of Peoples Deputies to Armenian SSR Local Soviets of People's Deputies as published in KOMMUNIST 8 Sep 89 pp 1-3 reveals the following changes in the draft to have been incorporated in the law as adopted:

In Article 2, third paragraph: the words "persons held in places of incarceration" are changed to "persons held by court sentence in places of incarceration"; the words "and also persons held in places of mandatory medical treatment by court decision" are deleted; the following sentence is added to the end of the paragraph: "Persons in relation to whom, according to procedures established by criminal procedural legislation, detention under guard has been chosen as a measure of intervention, do not take part in voting."

In Article 2, a fourth paragraph is added, as follows: "Any direct or indirect restriction of the voting rights of Armenian SSR citizens is impermissible and punishable by law."

In Article 3, the second, one-sentence paragraph is deleted.

In Article 6, following the words "made up of representatives" and before the words "of labor collectives," the words "elected by assemblies (conferences)" are inserted; following the words "public organizations" and before the words "assemblies of voters," the words "collectives of secondary specialized and higher educational institutions" are inserted.

In Article 7:

—in the second paragraph, following the words "election districts" and before the words "the composition," the words "election precincts" are inserted; following the words "notify citizens of the results of," and before the word "registration," the words "the nomination and" are inserted;

—in the third paragraph, first sentence: following the words "registration of candidates for deputy" and before the words "the counting of votes," the words "the sealing of ballot boxes and the disclosure and" are inserted; following the words "determination of election results" the words "by district, and in the tallying of overall election results" are deleted, and the words "as well as throughout the course of the entire voting" are inserted; following the words "representatives of" and before the words "public organizations," the words "labor collectives" are deleted; following the words "public organizations" and before the words "assemblies of voters," the words "representatives of the press, television and radio having appropriate credentials, and the representatives of labor collectives and of the collectives of secondary specialized and higher educational institutions" are inserted; following the words "soviet agencies" and before the words "authorized representatives," the words "located within a given election district, as well as" are inserted; the words "authorized representatives" are changed to "the authorized representatives of candidates for deputy who are registered in the given election district" are inserted; following the words "authorized representatives" in the draft, the words "also representatives of the press, television and radio, who shall in good time, but no later than three days prior to the elections, so notify the respective election commission" are deleted;

—in the third paragraph, second sentence, following the words "The number of representatives of labor collectives," the words "collectives of secondary specialized and higher educational institutions" are inserted; following the words "public organizations," the words "assemblies of voters and military units" are changed to "assemblies of voters by place of residence and of military personnel by military unit"; following the

words "respective election commission," the following words are inserted at the end of the paragraph: "which establishes equal conditions for determining the presence of representatives. The credentials of representatives should be certified by an appropriate document and decision of their collective or their soviets, or assemblies of voters by place of residence and military personnel by military unit, which shall so notify the appropriate election commission no later than three days in advance";

—in the fourth paragraph, following the words "Election commissions," the words "state and public agencies" are changed to "local and public agencies."

In Article 8, in the first paragraph, following the words "public organizations," the words "collectives of secondary specialized and higher educational institutions" are inserted.

In Article 9, following the words "public organizations," the words "collectives of secondary specialized and higher educational institutions" are inserted.

In Article 11, following the words "local soviet executive committees," the words "and the deputies of such persons" are inserted; following the words "may not be" and before the words "people's deputies," the words "at the same time" are inserted.

In Article 12, following the first paragraph, a new paragraph is inserted as follows: "In order to ensure equal conditions for every candidate for people's deputy, expenses connected with the preparation and conduct of elections of people's deputies are paid by the respective election commission from a fund financed by the state, as well as by the voluntary contributions of enterprises, public organizations and citizens."

In Article 13, in the first paragraph, following the words, "officials of state and public agencies," the passage beginning with the words "who have committed the forgery of election documents..." and ending with the words "...the present Law" is replaced by the following passage: "who interfere with the free exercise of the right of nomination of candidates for people's deputy, unjustifiably refuse to register a candidate for deputy, commit the forgery of election documents or knowingly miscount votes, violate voting secrecy or commit other violations of the present Law"; a third paragraph is added, as follows: "A copy of the decision on the results of the review is issued to the complainant."

In Article 15:

—in the first paragraph, the numbers of election districts in various categories are changed, as follows, in the order in which they appear: "300 districts" is changed to "up to 200 districts"; "from 75 to 125 districts" is changed to "up to 100 districts"; "from 50 to 200 districts" is changed to "up to 150 districts"; "from 50 to 75 districts" is changed to "up to 50 districts";

"from 100 to 175 districts"; is changed to "up to 175 districts"; and "from 25 to 50 districts"; is changed to "up to 50 districts";

—in the third paragraph, the words "election commissions" are replaced by "local soviets or their presidiums";

—in the fifth paragraph, the words "election commissions" are replaced by "local soviets or their presidiums"; the words "10th day after the scheduling of elections" are replaced by "80 days prior to elections."

In Article 17, in the second paragraph, the words "45 days" are changed to "60 days."

In Article 19:

—in the first paragraph, the words "the 15th day after the scheduling of elections" are changed to "70 days prior to elections";

—in the second paragraph, following the words "their primary organizations," the words "collectives of secondary specialized and higher educational institutions" are inserted;

—in the third paragraph, the words "if an initiative petition calling for an assembly to be held has been supported by at least 50 voters of the district" are changed to: "or by the population on the basis of an initiative supported by at least 50 voters of the election district";

—before the fourth paragraph, the paragraphing is removed, making it the last sentence of the third paragraph.

In Article 20:

—part (2) is deleted, causing parts (3)-(22) to be renumbered as parts (2)-(21), respectively;

—in part (11) (renumbered as part 10), following the words "candidates for people's deputy," the words "and the basic provisions of their election programs" are inserted;

—in part (12) (renumbered as part 11), following the words "public organizations," the words "collectives of secondary specialized and higher educational institutions, and voters by place of residence" are inserted; following the words "with voters," the words "both in labor collectives and at places of residence" are deleted.

In Article 21:

—in the second paragraph, following the words "ominated by," the words "labor collectives or their councils" are deleted; following the words "primary organizations," the following words are inserted: "labor collectives located within a given election district, or their councils, the collectives of secondary specialized and higher educational institutions" are inserted;

- in the third paragraph, the words "if an initiative to hold such an assembly is supported by at least 30 voters" are changed to: "on the basis of an initiative supported by at least at least 50 voters";
- the paragraphing before the fourth paragraph is eliminated, making it the final sentence of the third paragraph; in this sentence, the words "at least 50 voters" are changed to "at least 75 voters."

In Article 22:

- in part (1), following the words "public organizations" and before the words "meetings of candidates," the words "collectives of secondary specialized and higher educational institutions, and voters by place of residence" are inserted; following the word "voters," the words "both in collectives and at places of residence" are deleted;
- in part (5), after the words "voting booths and ballot boxes," the following words are inserted; "and issues voters certificates of the right to vote."

In Article 23:

- in the first paragraph, following the words "public organizations" and before the words "nominating representatives," the words "collectives of secondary specialized and higher educational institutions, and assemblies of voters by place of residence and military personnel by military unit" are inserted; following the words "public organizations" and before the words "located within," the words "collectives of secondary specialized and higher educational institutions, and assemblies of voters by place of residence and military personnel by military unit" are inserted;
- in the third paragraph, following the words "public organizations" and before the words "assemblies of voters, the words "collectives of secondary specialized and higher educational institutions" are inserted.

In Article 24, in the fifth paragraph: the last sentence, beginning with the words "A member of an election commission..." is detached to form a new, sixth paragraph.

In Article 30:

- in the first paragraph, the words "on the 15th day after the scheduling of elections and ends on the 45th day before elections" are changed to: "no later than 70 days before and ends 40 days before elections";
- in the second paragraph, following the words "public organizations," the words "collectives of secondary specialized and higher educational institutions" are inserted;
- in the fourth paragraph, following the words "labor collectives" and before the words "is conducted," the

words "collectives of secondary specialized and higher educational institutions" are inserted; following the word "organizations" and before the words "located within," the words "collectives of secondary specialized and higher educational institutions" are inserted; the words "respective election district" are changed to "respective soviet"; at the end of the fourth paragraph, the following words are inserted: "Collectives having fewer than 100 members nominate candidates for deputy at assemblies (or conferences) held jointly with other collectives. The total number of members of collectives holding joint assemblies (or conferences) may not be fewer than 100. An assembly is official if it is attended by more than half of the total number of members of a collective, and a conference is official if it is attended by no less than two-thirds of the conference delegates."

—the fifth through ninth paragraphs of the draft are deleted and replaced in the law as adopted by fifth and sixths paragraphs, as follows:

"The nomination of candidates for deputy from public organizations is conducted at plenums of the rayon, city and city rayon agencies of these organizations, and by other equivalent agencies.

"The nomination of candidates for deputy by voters by place of residence is conducted by voters' assemblies and through the collection of signatures in the form of a civic initiative. A voters' assembly is convened by the rayon, city, city rayon, settlement or rural election commission, if an initiative calling for an assembly to be held has been supported by at least 50 of an district's voters. An assembly is official if it is attended by at least 100 voters residing within the election district. The collection of signatures for nominating a candidate for deputy by means of a civic initiative is organized by the citizen or citizens at whose initiative the candidate is being nominated. Signatures are placed by voters of the election district on a special form. A candidate on whose behalf at least 200 voters' signatures have been collected is considered nominated."

—the 10th through 15th paragraphs of Article 30 in the draft become the seventh through 12th paragraphs in the law as adopted;

—in the 11th and 13th paragraphs of the draft (which become the eighth and 10th paragraphs, respectively): in the five instances in which the word "assembly" or "assemblies" occurs, the words "(or conference) or plenum" are inserted after it—"(or conferences) or plenums," after the plural "assemblies";

—in the 14th paragraph of the draft (which becomes the 10th paragraph): following the word "assembly," the words "(or conference)" are inserted; following the word "respective" and before the words "election commission," the words "rayon, city or city rayon" are inserted.

In Article 31:

- in the second paragraph, following the words, "public organizations," the words "collectives of secondary specialized and higher educational institutions" are inserted;
- in the third paragraph, the words "45 days" are changed to "40 days";
- in the fourth paragraph: following the word "assemblies," the words "(or conferences) or plenums" are inserted; following the words "election district," the words "or forms containing signatures collected by way of a civic initiative" are inserted;
- in the fifth paragraph, the words "Article 11" are changed to "Article 2";
- in the sixth paragraph: the words "respective election commission" are replaced by "rayon, city, city rayon, settlement and rural election commissions"; the final sentence of the paragraph, beginning with the words "The document on the registration of candidates for deputy..." and ending with the words "next-higher election commission" is replaced by a sentence reading as follows: "The document and statements by candidates for deputy of their consent to run from the given election district are presented to the appropriate soviet of people's deputies or its presidium."
- the seventh paragraph (beginning with the words "All candidates for deputy..." and ending with the words "...or its presidium") is deleted, and new seventh and eighth paragraphs are added, as follows:

"An election commission registers candidates for deputy who have been nominated in accordance with the requirements of this Law. A decision to refuse registration is presented to the agency that has nominated the candidate for deputy within a one-day period. A refusal of registration may be appealed within a three-day period to the appropriate soviet of people's deputies or its presidium.

"A candidate for deputy may be registered and run only in one election district."

- the eighth through 10th paragraphs of Article 31 in the draft become the ninth through 11th paragraphs in the law as adopted;
- in the eighth paragraph (which becomes the ninth), the last sentence, beginning with the words "A member..." and ending with the words "registration as a candidate," is deleted;
- in the ninth paragraph (which becomes the 10th), the words "election commission" are changed to "rayon, city, city rayon, settlement or rural election commission";
- in the 10th paragraph (which becomes the 11th paragraph): following the word "deputy," the words "to a

local soviet" are deleted; following the word "certificate," the words "by the rayon, city, city rayon, settlement or rural election commission" are added.

In Article 32:

- in the first paragraph: following the words "public organization," the words "collective of secondary specialized or higher educational institution" are added; the words "appropriate election commission" are changed to "appropriate rayon, city, city rayon, settlement or rural election commission";
- a new second paragraph is added as follows: "At any time prior to elections a candidate for deputy may withdraw his candidacy after submitting a statement to this effect to the appropriate rayon, city, city rayon, settlement or rural election commission";

In Article 33:

- in the first paragraph: the words "after the conclusion of the period of registration" are changed to "prior to the conclusion of the period of registration"; following the words "candidates for deputy, the following words "if no other candidates remain in the election district" are inserted; the words "appropriate election commission" are changed to "appropriate rayon, city, city rayon, settlement or rural election commission"; following the words "public organizations," the words "collectives of secondary specialized and higher educational institutions" are inserted;
- the paragraphing before the second paragraph is removed, making it the last sentence of the first paragraph.

In Article 34, following the first paragraph, a new paragraph is inserted, as follows: "In the event that a single candidate for people's deputy to a local soviet is registered, on the ballot opposite his name the indication 'agree' or 'disagree' is made." In Article 35, in the first paragraph, following the words "and other assemblies" and before the word "conferences," the word "rallies" is inserted.

In Article 36, the final sentence of the article, "The program of a candidate for deputy must not conflict with the USSR Constitution, the Armenian SSR Constitution or Soviet laws," is deleted.

In Article 37:

- at the end of the second paragraph, the following sentences are inserted: "Both a candidate for deputy and his authorized representative or representatives may retract mutual commitments. The candidate for deputy informs the appropriate rayon, city, city rayon, settlement or rural election commission of the registration of a new authorized representative or representatives and the invalidation of the previous registration."

—in the third paragraph, following the words "authorized representative," the words "following his registration" are inserted.

In Article 38, in the first paragraph, following the words "public organizations," the words "collectives of secondary specialized and higher educational institutions, and assemblies of voters by place of residence and military personnel by military unit" are inserted; following the words "that have nominated candidates for people's deputy" and before the words "are granted the right," the words "and the authorized representatives of candidates for people's deputy" are inserted;

—in the second paragraph, following the words "furnished premises" and before the words "for assemblies and rallies," the words "and other locations and conditions" are inserted;

—in the third paragraph, following the words "public organizations" and before the words "are guaranteed," the words "and collectives of secondary specialized and higher educational institutions, and voters by place of residence" are inserted; following the words "at assemblies" and before the words "in the press," the words "and rallies" are inserted;

—in the fifth paragraph, the words "election commissions and soviets of people's deputies or their presidiums, and the agencies of public organizations" are changed to: "election commission, jointly with the appropriate soviet of people's deputy or its presidium, and public organizations."

In Article 41, the words "without the consent of the appropriate rayon, city, city rayon, settlement or rural election commission" are changed to "without the consent of the appropriate local soviet of people's deputies."

In Article 42, following the words "remote and relatively inaccessible regions," the words "to which, because of transportation conditions, voters with authorization to vote cannot come on election day" are deleted.

In Article 43:

—in the fourth paragraph, following the words "on the basis of the list of the election precinct's voters" and before the words "upon the voter's presentation," the words "and certification of the right to vote" are inserted; the words "upon the voter's presentation" are changed to "upon the presentation; the last sentence, "A notation that a ballot has been issued is entered on the list of voters," is replaced by a sentence reading as follows: "Upon receipt of a ballot, a voter signs the list of voters, which is hung up for general information."

In article 44, at the end of the third paragraph, the following words are added: "and in the event there is a single candidate, crosses out one of the words 'agree' or 'disagree,' which are indicated opposite the candidate's name."

In Article 45:

—in the second paragraph, the last sentence, beginning with the words "Prior to the opening...." is moved and placed at the beginning of the paragraph;

—in the third paragraph, the words "on the basis of the list of voters" are changed to read: "on the basis of principal and supplementary lists of voters."

In Article 46:

—in the first paragraph, following the words "ballots on which, in the voting, more than one surname has been left," the following words are inserted: "or, in the event there is a single candidate, one of the words, 'agree' or 'disagree,' indicated opposite his name has not been crossed out; the sentence beginning with the words "Ballots on which all surnames..." is indented and begins a new paragraph; in this sentence, following the words "all surnames have been crossed out, the words "or, in the event there is a single candidate, the words 'agree' and 'disagree' indicated opposite his name have been crossed out" are inserted, and the words "but the votes on them are counted as having been given against each candidate" are changed to: "and are counted as votes given against a candidate."

In Article 47:

—in the first paragraph: at the beginning of the paragraph, the words "In accordance with the present Law" are deleted; following the word "results" and before the words "are established," the words "of elections of people's deputies of rayon, city, city rayon, settlement and rural soviets of people's deputies" are inserted; following the words "are established" and before the words "by rayon, city...election commissions," the words "by election districts for elections of people's deputies to rayon, city, city rayon, settlement and rural soviets of people's deputies" are deleted;

—the third paragraph, beginning with the words "votes for the names of citizens...," is deleted;

—in the fifth paragraph (which becomes the fourth in the law as adopted): following the words "meeting of the appropriate" and before the words "election commission," the words "rayon, city, city rayon, settlement and rural" are inserted; the words "to the next higher election commission" are replaced by the words "to the appropriate soviet of people's deputies or its presidium."

In Article 48, in the first paragraph: following the word "appropriate" and before the words "election commission," the words "rayon, city, city rayon, settlement or rural" are inserted; the words "may declare" are replaced by the word "declares"; following the word "elections" and before the word "invalid," the words "for the election district" are deleted; following the word "invalid," the words "because of the commission of violations of the present Law in the course of the elections or during the counting of votes" are replaced by

the following words: "if in the course of the elections or during the counting of votes violations of the present Law have been committed that have substantially affected the election results."

In Article 49:

- in the first paragraph: following the word "appropriate" and before the words "election commission," the words "rayon, city, city rayon, settlement and rural" are inserted; the words "election commission" are changed to "election commissions";
- in the second paragraph, before the words "election commission," the words "rayon, city, city rayon, settlement and rural" are inserted; the words "election commission" are changed to "election commissions"; the words "may refuse to register a people's deputy and declare the election invalid" are replaced by the words: "declare the elections invalid and refuse to register people's deputies"; following the words "election results," the words "for the district" are deleted, and the words "violations of the present Law have occurred" are replaced by the words: "violations of the present Law have been committed that have substantially affected the election results."

In Article 50, in the first paragraph: following the word "appropriate" and before the word "election commission," the words "rayon, city rayon, settlement and rural" are inserted; the words "election commission" are changed to "election commissions."

In Article 51:

- in the first paragraph: following the word "appropriate" and before the word "election commission," the words "rayon, city rayon, settlement and rural" are inserted; the words "election commission" are changed to "election commissions";
- in the third paragraph, the words "who received in the runoff the greater number of votes of the voters taking part in the voting, compared to the other candidate" are replaced by the following words: "who received in the runoff more than half of the votes of the voters taking part in the voting"; following these words, the third paragraph is ended and a new, fourth paragraph is inserted as follows: "The runoff is considered inconclusive if less than half of the voters on the voter lists have taken part in it."
- in the third paragraph of the draft, beginning with the words, "In the event that, during a runoff," a fifth paragraph is begun in the law as adopted; the words "during a runoff in an election district between two candidates, one of them withdraws before the election" are changed to "during a runoff in an election district, one of the two candidates for deputy withdraws before the election day"; the words "the election commission holds a vote on" are changed to "the election commission holds a runoff vote on."

In Article 52, in the first paragraph: following the word "appropriate" and before the word "election commission," the words "rayon, city rayon, settlement and rural" are inserted; the words "election commission" are changed to "election commissions"; the words "In doing so, it may decide that it is necessary for the elections to be conducted by newly constituted district and precinct election commissions" are deleted.

In Article 54, the third and final paragraph is deleted.

In Article 55, in the first paragraph: the words "district election commission or the body performing its functions" are changed to "rayon, city, city rayon, settlement and rural election commissions."

The law as adopted is signed by G. Voskanyan, chairman of the presidium of the Armenian SSR Supreme Soviet, and N. Stepanyan, secretary of the presidium of the Armenian SSR Supreme Soviet, and dated 13 February, 1990, Yerevan.

## Azerbaijan SSR

### Azerbaijan SSR Draft Law on Elections of People's Deputies for Local Soviets

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[“Draft Law of the Azerbaijan Soviet Socialist Republic on Elections of Deputies of Local Soviets of People's Deputies of the Azerbaijan SSR”]

[Text] I. General Provisions.

#### Article 1. Bases of Elections of Deputies to Local Soviets of People's Deputies of the Azerbaijan SSR.

In accordance with the Azerbaijan SSR Constitution, elections of deputies to local soviets of people's deputies of the Azerbaijan SSR: Nagorno-Karabakh Autonomous Oblast Soviet of People's Deputies, rayon, city, city rayon, settlement and village soviets of people's deputies—shall be held by single-mandate and multi-mandate electoral okrugs, on the basis of universal, equal and direct suffrage by secret ballot.

#### Article 2. Universal Suffrage.

Elections to local soviets shall be universal. All citizens of the Azerbaijan SSR who have reached 18 years of age have the right to vote and to be elected deputies.

Any direct or indirect limitations on the electoral rights of citizens of the Azerbaijan SSR, based on origin, social and property status, race and nationality, sex, education, language, attitude toward religion, time of residence in the given locality, kind and nature of occupation shall be prohibited.

Psychiatrically ill citizens who are recognized as incapacitated by court, persons being held on court decision or with the sanction of a public prosecutor in places of

confinement, as well as those sent by court decision to places of compulsory treatment, shall not participate in elections.

#### **Article 3. Equal Suffrage.**

Elections of deputies to local soviets of people's deputies of the Azerbaijan SSR shall be equal. A voter in each electoral okrug shall have one vote; voters and candidates for deputy shall participate in elections on an equal basis.

Women and men shall have equal suffrage.

Military personnel shall enjoy suffrage equal to that of all citizens of the Azerbaijan SSR.

#### **Article 4. Direct Suffrage.**

Elections of deputies to local soviets of people's deputies of the Azerbaijan SSR shall be direct: deputies shall be elected by the citizens directly.

#### **Article 5. Secret Voting.**

Voting in elections of deputies to local soviets of people's deputies of the Azerbaijan SSR shall be secret: monitoring the will of the voters is not permitted.

#### **Article 6. Conduct of Elections by Electoral Commissions.**

Elections of deputies to local soviets shall be conducted by electoral commissions, which are formed from representatives of labor collectives, social organizations, collectives of secondary specialized and higher educational institutions, and meetings of voters at their place of residence, and meetings of military personnel in their military units.

#### **Article 7. Glasnost in Preparation for and Conduct of Elections of Deputies to Local Soviets.**

The preparation for and holding of elections of deputies to local soviets shall be accomplished by electoral commissions, labor collectives, and social organizations, openly and publicly.

Electoral commissions shall inform the citizens about their work, about the formation of electoral okrugs, the composition, location and time of work of electoral commissions, and about voter rolls. The electoral commissions shall inform the citizens on the results of registration of candidates for deputy, on biographical data about the registered candidates, the results of voting on each candidate, and the results of the elections.

Representatives of labor collectives, social organizations, the collectives of secondary specialized and higher educational institutions, and of meetings of voters by place of residence and military personnel by military units, higher electoral commissions, organs of state government, agents, as well as representatives of the press, television, and radio, shall have the right to be present at

sessions of the electoral commissions, including during registration of candidates for deputy, stopping or sealing election boxes before the start of voting, counting votes in the electoral districts, determining the results of elections by okrug, and summing up the overall results of elections. The powers of the indicated representatives shall be certified by an appropriate document or decision of the labor collective of the secondary specialized or higher educational institution, or meeting of voters by place of residence, or meetings of military personnel by military units.

The intention of representatives to be present on election day on the premises of the electoral districts, or at sessions of the electoral commissions, must be reported to the appropriate electoral commissions no later than two days before the elections. Interference by these representatives in the work of the commissions is not permitted.

The mass media shall report on the course of the preparation for and holding of elections of deputies to local soviets of people's deputies. Electoral commissions, state and social organs, and labor collectives, shall give them information associated with the preparation for and holding of elections.

#### **Article 8. Participation in the Preparation for and Holding of Elections of Deputies to Local Soviets.**

Citizens of the Azerbaijan SSR shall take part in the preparation for and holding of elections to local soviets of people's deputies, both through labor collectives, social organizations, collectives of secondary specialized and higher educational institutions, meetings of voters by place of residence and meetings of military personnel by military units, and directly.

Labor collectives and social organizations shall participate in the preparation for and holding of elections of deputies to local soviets, both through their representatives on the electoral commissions, and directly.

#### **Article 9. The Right to Nominate Candidates for Deputy to Local Soviets.**

The right to nominate candidates for deputy for local soviets belongs to the labor collectives, social organizations, collectives of secondary specialized and higher educational institutions, meetings of voters at their place of residence, and meetings of military personnel in their military units.

#### **Article 10. Instructions of Voters to Deputies to Local Soviets.**

The voters shall give instructions to their deputies.

The procedure for introducing, generalizing, examining and organizing fulfillment of instructions shall be established by legislation of the USSR and the Azerbaijan SSR.

**Article 11. Incompatibility of Status of Deputy to a Local Soviet with Duty Position.**

Members of executive committees of local soviets of people's deputies, except for the chairman of these organs; leaders of departments and administrations of executive committees; judges and state arbitrators may not simultaneously be deputies to the local soviet by which they are appointed or elected.

**Article 12. Expenses Associated with Elections of Deputies to Local Soviets. Material Support of Elections.**

Expenditures associated with the preparation for and holding of elections to local soviets of people's deputies of the Azerbaijan SSR shall be made only from state funds allocated for elections.

Enterprises, institutions, organizations, and state and social organs shall place accommodations, necessary equipment and means of transport at the free disposal of electoral commissions for the period of preparation for and holding of elections.

Financing or material support of candidates for deputy by enterprises, cooperatives, institutions, organizations, state or public organs, or individual citizens is not permitted.

Candidates for deputy to local soviets, their agents and the voters, shall not bear the costs associated with the preparation for and holding of elections.

**Article 13. Responsibility for Violation of the Legislation on Elections.**

Persons who interfere, through force, deceit, threat or otherwise, in the free exercise by a citizen of the Azerbaijan SSR of the right to elect and be elected a deputy to the local soviet, or to conduct pre-election agitation, as well as members of electoral commissions, or officials of state and social organs who forge election documents, knowingly count votes incorrectly, violate voting secrecy, or commit other violations of this law, shall bear the responsibility established by law. Persons who knowingly published or otherwise disseminated false information about a candidate for deputy shall also be brought to accountability.

Statements about violations of legislation on elections, which arrive at electoral commissions, or state or public organs, in the period of preparation for elections or following the elections, must be examined within a five day period, and those which arrive on the eve of or on election day must be examined immediately.

**II. Procedure For Scheduling Elections and Forming Electoral Okrugs**

**Article 14. Scheduling Elections.**

Elections to all local soviets of people's deputies shall be held simultaneously, and shall be scheduled by the

Azerbaijan SSR Supreme Soviet, or its Presidium, no later than three months before the end of the term of office of the local soviets.

A report about the scheduling of elections shall be published in the press.

**Article 15. The Formation of Electoral Okrugs.**

The following electoral okrugs shall be formed for elections to local soviets of people's deputies:

- to the Baku City Soviet of People's Deputies—up to 400 electoral okrugs;
- to the Kirovabad and Sumgait city soviets of people's deputies—up to 150 okrugs;
- to the Soviet of People's Deputies of Nagorno-Karabakh autonomous oblast—up to 150 electoral okrugs;
- to the city soviet of people's deputies of republic-subordinate cities—up to 100 electoral okrugs;
- to rayon soviets of people's deputies—up to 75 electoral okrugs;
- to city soviets of people's deputies (of rayon-subordinate cities)—up to 50 electoral okrugs;
- to rayon soviets of people's deputies in the cities Baku and Kirovabad—up to 100 electoral okrugs;
- to settlement and village soviets of people's deputies—up to 40 electoral okrugs.

Within the limits of the norms established by this article, according to the proposals of the respective soviets or their presidiums, the number of electoral okrugs for elections is determined:

- in the Baku and Kirovabad city soviets of people's deputies and the Soviet of People's Deputies of Nagorno-Karabakh Autonomous Oblast—by the Azerbaijan SSR Supreme Soviet or its Presidium;
- in rayon, city, city rayon, settlement and village soviets—by the higher soviet or its presidium.

Electoral okrugs shall be formed by the appropriate electoral commission by representation of the soviets or their presidiums, taking into account the administrative-territorial division and other features of the territory, with observance of basically equal population for one deputy mandate. Elections of deputies to the Baku and Kirovabad city soviets, the Soviet of People's Deputies of the Nagorno-Karabakh Autonomous Oblast, and rayon soviets, shall be held according to single-mandate electoral okrugs.

Elections of deputies to city (rayon-subordinate city), city rayon, settlement and village soviets, on the decision of the appropriate soviets, may be held both by single-mandate and multi-mandate electoral okrugs.

At the decision of a settlement or village soviet to which no more than 25 deputies are elected, elections may be held according to a general list of candidates for deputy. In this case, the territory of the soviet is a single multi-mandate electoral okrug.

Multi-mandate electoral okrugs shall be formed on the entire territory of the soviet, within the boundaries of individual populated areas or populated areas located in the immediate proximity of one another, by combining electoral okrugs formed within the limits of the norms established by this article.

Lists of electoral okrugs with their indicated boundaries and the population size shall be published by the appropriate electoral commissions, no later than 15 days following the scheduling of elections.

### III. Electoral Districts

#### Article 16. The Formation of Electoral Districts.

The territory of rayons, cities, and city rayons shall be divided into electoral districts for voting and counting votes in elections of deputies to local soviets of people's deputies. Electoral districts shall be formed also in military units. Electoral districts may be formed in places where citizens are located in remote and inaccessible areas, as well as on ships that are underway on election day; these electoral districts shall be included in the electoral okrugs according to their location or the home port of the ship respectively.

#### Article 17. Procedure and Norm for the Formation of Electoral Districts.

Electoral districts shall be formed by rayon, city (except for rayon-subordinate cities) and city rayon soviets of people's deputies or their presidiums, in coordination with the appropriate electoral commissions. On ships that are underway on election day the electoral districts are formed by local soviets of people's deputies or their presidiums, according to the home port of the ship. In military units electoral districts shall be formed by local soviets of people's deputies or their presidiums by representation of unit or large unit commanders.

Electoral districts shall be formed no later than two months before elections. In military units, and on ships that are underway on election day, as well as in remote and inaccessible locations, electoral districts shall be formed in the same time period, and under exceptional conditions no later than five days before elections.

Electoral districts shall be formed with no fewer than 20 and no more than 3,000 voters.

The appropriate local soviet or its presidium shall notify the voters about the boundaries of each electoral district, and indicate the location of the district electoral commission and the voting places.

### IV. Electoral Commissions

#### Article 18. System of Electoral Commissions.

For holding elections of deputies to local soviets of people's deputies, electoral commissions shall be formed as follows:

- an electoral commission for elections of deputies to the Nagorno-Karabakh Autonomous Oblast Soviet of People's Deputies (oblast commission);
- rayon electoral commissions for elections of deputies to rayon soviets;
- city (except for rayon-subordinate city) electoral commissions for elections of deputies to city soviets;
- city rayon electoral commissions for elections of deputies to city rayon soviets;
- settlement electoral commissions for elections to settlement soviets;
- village electoral commissions for election of deputies to village soviets;
- okrug electoral commissions for elections of deputies to oblast soviets and the Baku and Kirovabad city soviets;
- and district electoral commissions.

Okrug electoral commissions shall not be formed in electoral okrugs for elections to rayon, city (rayon-subordinate city), settlement and village soviets of people's deputies. In these cases, the functions of okrug electoral commissions shall be fulfilled by the respective territorial electoral commissions.

#### Article 19. Formation of Oblast, Rayon, City, City-Rayon, Settlement and Village Electoral Commissions.

Oblast, rayon, city, city-rayon, settlement and village electoral commissions for elections of deputies to local soviets shall be formed by the respective soviet of people's deputies or its presidium, by open or secret ballot, no later than 10 days following the scheduling of elections, and shall consist of 5-19 commission members.

Representatives of electoral commissions shall be nominated by labor collectives of enterprises, institutions, organizations or their soviets, collectives of secondary specialized and higher educational institutions, oblast, rayon, city, city-rayon organs of social organizations, their primary organizations, as well as by meetings of voters at their places of residence, and meetings of military personnel in their military units.

The term of office of the electoral commissions enumerated in Part I of this article is five years.

**Article 20. Powers of Oblast, and the Baku and Kirovabad City, Electoral Commissions.**

Oblast electoral commissions, and the Baku and Kirovabad city electoral commissions for elections of deputies to the respective soviet of people's deputies:

- 1) shall monitor the fulfillment of this law and ensure its uniform application on the territory of the respective local soviet of people's deputies, and make representations in case of need to the Azerbaijan SSR Supreme Soviet about interpretation of this law;
- 2) shall form electoral okrugs;
- 3) shall guide the activity of okrug and district electoral commissions;
- 4) shall distribute funds to the electoral commissions;
- 5) shall monitor the support of the electoral commissions with accommodations, transport, and communications, and shall examine other questions of material and technical support of the elections;
- 6) shall listen to the reports of okrug and district electoral commissions, executive and administrative organs of local soviets, enterprises, institutions and organizations, as well as organs of social organizations, on questions associated with the preparation for and holding of elections;
- 7) shall ensure the preparation of ballots for elections of deputies to the local soviet of people's deputies, in the form established by the Azerbaijan SSR Supreme Soviet Presidium;
- 8) shall receive reports on the registration of candidates for deputy from the okrug electoral commissions, and publish reports on the composition of registered candidates for deputy to the respective local soviet;
- 9) shall receive reports from okrug electoral commissions on the results of elections of deputies to the respective local soviet;
- 10) shall register the elected deputies to the respective local soviet, sum up the results of oblast and city elections, and publish in the press a report on the results of the elections and a list of the elected deputies;
- 11) shall transmit to the mandate commissions of the respective local soviet the documentation necessary to check the authority of the deputies;
- 12) shall decide questions associated with the holding of a runoff and repeat elections;
- 13) shall schedule elections of deputies to the corresponding local soviet to replace departed deputies, and provide for their conduct;
- 14) shall ensure the procedure and time periods for storage of electoral documents established by the Azerbaijan SSR Supreme Soviet or its Presidium;

15) shall examine statements and complaints on the decisions and actions of okrug and district electoral commissions, and make the final decisions on them;

16) shall exercise other powers in accordance with this law.

**Article 21. Powers of Rayon, City, City Rayon, Settlement and Village Electoral Commissions.**

Rayon, city, city rayon, settlement and village electoral commissions for elections of deputies to the respective soviet of people's deputies:

- 1) shall monitor the fulfillment of this law on the territory of the respective local soviet;
- 2) shall form electoral okrugs;
- 3) shall guide the activity of district electoral commissions;
- 4) shall distribute funds to district electoral commissions, monitor the providing of district electoral commissions with accommodations, transport, and communications, and examine other questions of material-technical support of elections;
- 5) shall ensure the preparation of ballots for elections of deputies to the local soviet, in accordance with the form established by the Azerbaijan SSR Supreme Soviet Presidium;
- 6) shall listen to reports of the district electoral commission, executive and administrative organs of local soviets, leaders of enterprises, institutions and organizations, as well as organs of social organizations, on questions associated with the preparation for and holding of elections;
- 7) shall observe the compilation of voter rolls and their presentation for general familiarization;
- 8) shall organize the nomination of candidates for deputy to the respective local soviet;
- 9) shall register the nominated candidates for deputy and their agents, and issue them the appropriate certifications;
- 10) shall publish reports on the composition of the registered candidates for people's deputies to the respective local soviets;
- 11) shall ensure that placards with biographical data on the candidates for deputy are issued;
- 12) shall organize, jointly with the labor collectives and social organizations, meetings of candidates for deputy with the voters, both in the labor collectives and in their places of residence;
- 13) shall confirm the text of the ballot and provide them to the district electoral commissions;

- 14) shall receive from the respective district electoral commissions reports on the results of voting in the electoral districts;
- 15) shall establish and publish in the press the results of elections to deputies to the respective local soviet;
- 16) shall register the elected deputies, and issue them certifications on their election;
- 17) shall transmit to the mandate commission of the respective local soviet documentation necessary for checking the powers of deputies;
- 18) shall decide questions associated with the holding of runoffs and repeat elections;
- 19) shall schedule elections of deputies to replace departed deputies and provide for their conduct;
- 20) shall decide questions associated with holding a recall of deputies to the respective local soviet;
- 21) shall provide for the procedure and time of retention of electoral documents established by the Azerbaijan SSR Supreme Soviet or its presidium;
- 22) shall examine statements and complaints on the decisions and actions of district electoral commissions, and make decisions on them;
- 23) shall exercise other powers in accordance with this law.

#### **Article 22. Formation of District Electoral Commissions.**

District electoral commissions for elections of deputies to the soviet of people's deputies of Nagorno-Karabakh Autonomous Oblast, and the Baku and Kirovabad city soviets shall be formed by the respective local soviet or its presidium, by open or secret voting, no later than 20 days following scheduling of elections, and consist of 9-13 commission members.

Representatives to the okrug electoral commission shall be nominated by the labor collectives of enterprises, institutions and organizations or their soviets, oblast, rayon, and city rayon organs of social organizations, their primary organizations, the collectives of secondary specialized and higher educational institutions, meetings of voters in their places of residence, and military personnel in their military units. In the labor collectives of enterprises, institutions and organizations numbering more than 150 workers, nominating representatives to the okrug electoral commission may be conducted at meetings of the collectives of shops, departments, sections, brigades, and other elements of the enterprises, institutions and organizations, if no fewer than 30 people work in these elements. Here it is possible to hold joint meetings of several collectives.

The term of office of okrug electoral commissions shall end after the recognition of the powers of the elected deputies by the respective local soviet.

#### **Article 23. Powers of the Okrug Electoral Commission.**

The okrug electoral commission shall:

- 1) monitor the fulfillment of this law on the territory of the electoral okrug;
- 2) listen to reports by district electoral commissions, executive and administrative organs of local soviets, leaders of enterprises, institutions and organizations, on questions associated with the preparation for and holding of elections;
- 3) observe the compilation of voter rolls and presentation of them for general familiarization;
- 4) organize the nomination of candidates for deputy by the respective electoral okrug;
- 5) register the nominated candidates for deputy and their agents, and issue them the appropriate certifications; provide for familiarization of the voters with the biographic data on candidates for deputy;
- 6) organize, jointly with the labor collectives and social organizations, meetings of candidates for deputy with the voters, both in the labor collectives and in their place of residence;
- 7) confirm the text of the ballot for the given electoral okrug, and ensure the ballots are prepared and supplied to the district electoral commissions;
- 8) establish and publish in the press the results of elections in the electoral okrug, and issue the elected deputy certification about his election;
- 9) organize the holding of runoffs and repeat elections;
- 10) examine statements and complaints on decisions and actions of district electoral commissions, and make decisions on them;
- 11) exercise other powers in accordance with this law.

#### **Article 24. The Formation of District Electoral Commissions.**

The district electoral commission is formed no later than 40 days before elections, and consists of 5-19 members. The numerical composition of a district electoral commission may be changed in necessary cases, on the decision of the respective local soviet of people's deputies or its presidium.

Representatives to the district electoral commission shall be nominated by labor collectives, enterprises, institutions and organizations, or their soviets; rayon, city, and city rayon organs of social organizations; primary organizations of social organizations or their organs; collectives of secondary specialized and higher educational institutions; and meetings of voters at their places of residence, and of military personnel in their military units.

In the labor collectives of enterprises, institutions and organizations numbering more than 150 workers, nomination of representatives to district electoral commissions may be conducted at meetings of the collectives of shops, departments, sections, brigades and other elements of the enterprises, institutions and organizations, if no fewer than 30 people work in these elements. Here joint meetings of several collectives may be held.

District electoral commissions shall be confirmed by rayon, city (except for rayon-subordinate cities), and city rayon soviets of people's deputies, or their presidiums, by open or secret voting.

The term of office of district electoral commissions ends following the recognition of the powers of the elected deputies by the respective soviet of people's deputies.

#### **Article 25. Powers of the District Electoral Commission.**

The district electoral commission shall:

- 1) compile a district voter roll;
- 2) familiarize the voters with the roll, receive and examine statements about errors in the roll, and decide questions about making appropriate changes to it;
- 3) notify the population about the location of the district electoral commission and the time of its work, as well as about the day of elections and voting place;
- 4) ensure preparation of a location for voting and election boxes;
- 5) organize voting on election day in the electoral district;
- 6) count the votes submitted in the electoral district;
- 7) examine statements and complaints on questions of preparing for elections and the organization of voting, and make decisions on them;
- 8) exercise other powers in accordance with this law.

#### **Article 26. Procedure for Nomination of Representatives to Electoral Commissions and Changes in Their Composition.**

To determine the labor collectives, social organizations, and collectives of secondary specialized and higher educational institutions that are nominating representatives for the electoral commissions, the respective soviets of people's deputies or their presidiums, when necessary, may hold meetings of authorized labor collectives, social organizations, and collectives of secondary specialized and higher educational institutions located on the territory of the local soviet, and within the limits of the electoral okrug and electoral district.

The composition of electoral commissions shall be published for general information.

A chairman, deputy chairman, secretary or member of an electoral commission may be released from his duties

in the commission by the soviet that formed it or its presidium, by personal request, or by representation of the labor collective, organ of the social organization collective of the secondary specialized or higher educational institution, or meeting of voters in their place of residence and military personnel of the military unit that nominated him to the commission.

Nomination and confirmation of a new representative to an electoral commission shall be carried out in the manner established by this law.

#### **Article 27. Organizing the Work of Electoral Commissions.**

The chairman, deputy chairman and secretary of the electoral commission shall be elected at the first session of the respective commission.

The decision about the formation of an electoral commission, and the resolution of the electoral commission about the election of its leaders, shall be made known to the voters.

Sessions of an electoral commission shall be authorized if no fewer than two thirds of the composition of the commission take part in them. Commission decisions shall be made by open or secret voting by the majority of votes of the total composition of the commission. Commission members who disagree with its decision have the right to express their own opinion, which is attached in written form to the report of the electoral commission session.

Decisions of the electoral commissions made within the limits of their powers shall be mandatory for fulfillment by all state and social organs, enterprises, institutions and organizations.

Decisions and actions of an electoral commission may be appealed to a higher electoral commission, and in cases provided for by this law, also to court.

A member of an electoral commission, including the chairman, deputy chairman, and secretary, by decision of the commission, may be freed from fulfillment of production or official duties for the period of preparation for and holding of elections, with retention of average pay at the expense of funds allocated for holding the elections.

At some stages of the election campaign, at the discretion of the oblast, or respective rayon, city, or city rayon electoral commission, one additional member of the electoral commission may also be freed from his duties.

#### **Article 28. Assistance to Electoral Commissions in Exercising Their Powers.**

State and social organs, enterprises, institutions, organizations and officials shall be obligated to assist electoral commissions in the exercise of their powers, and to grant necessary information and materials for their work.

An electoral commission has the right to address state and social organs, enterprises, institutions and organizations, and officials on questions associated with the preparation for and holding of elections; they shall be required to examine the question and give the electoral commission an answer in no more than three days.

#### **V. Voter Rolls**

##### **Article 29. The Voter Roll and Procedure for its Compilation.**

The voter roll is compiled in each electoral district by the district electoral commission, and is signed by its chairman and secretary. The district electoral commission may involve representatives of the public in participating in the work of compiling the list.

Executive committees of city, city rayon, settlement and village soviets of people's deputies carry out a count of voters and transmit to the district electoral commissions information about the voters living in the respective territory, which is necessary for compiling the roll. Voter rolls of military personnel located in military units, as well as members of their families and other voters, if they are living in the stationing areas of the military units, shall be compiled on the basis of information presented by the military unit commanders. Military personnel living outside of the military units shall be included in the voter rolls in their place of residence, in the normal way.

A voter roll for electoral districts formed on ships that are underway on election day is compiled on the basis of information presented by the ship captains.

The last names of voters shall be indicated in the voter roll in a manner convenient for organizing the voting.

##### **Article 30. Procedure for Including Citizens in a Voter Roll.**

All citizens of the Azerbaijan SSR who have reached 18 years of age by on election day, and are living at the moment the roll is compiled on the territory of the given electoral district, and have the right to take part in the voting, shall be included in the voter rolls.

A voter may not be included in a voter roll in other electoral districts.

##### **Article 31. Familiarization of the Citizens with the Voter Roll and the Right to Appeal Errors in the Voter Roll.**

The voter roll shall be presented for general familiarization 15 days before elections.

Citizens shall be provided the opportunity to familiarize themselves with the voter roll and check the correctness of its compiling at the location of the district electoral commission.

Each citizen shall be given the right to appeal failure to include or incorrect inclusion in the roll, or exclusion from the roll, as well as inaccuracies in indicating

information about a voter found in the roll. A statement about inaccuracies in a roll shall be examined by the district electoral commission. The commission is required, in no more than two weeks, and on the eve of and day of elections immediately, to examine the statement, make the necessary corrections in the list, or issue the appellant a copy of the justified decision refusing his statement. This decision may be appealed to the rayon (city) people's court no later than five days before elections; the court is required to examine the appeal within three days. The decision of the rayon (city) people's court is final. Correction of a voter roll in accordance with a court decision is carried out immediately by the district electoral commission.

##### **Article 32. Supplemental Voter Roll.**

Voters who arrived at a new place of residence after the voter roll was presented for general familiarization, or were not included in the main voter roll for various reasons, shall be included on election day, at their request, and upon their presentation of passport or other identification, in a supplemental voter roll in the electoral district for their place of residence.

The supplemental voter roll shall be compiled by the district electoral commission, and signed by its chairman and secretary.

#### **VI. Nomination and Registration of Candidates For Deputy to Local Soviets**

##### **Article 33. Procedure for Nomination of Candidates for Deputy to Local Soviets.**

Nomination of candidates for deputy to local soviets of people's deputies shall begin two months and conclude 40 days before elections.

Rayon, city (except for the cities of Baku and Kirovabad), city rayon, settlement and village electoral commissions, as well as okrug electoral commissions for elections of deputies to the Soviet of People's Deputies of Nagorno-Karabakh Autonomous Oblast, and the Baku and Kirovabad city soviets, shall organize nomination of candidates for deputies to the respective local soviet.

Nomination of candidates for deputy is conducted at meetings (conferences) of labor collectives of enterprises, institutions and organizations, and collectives of secondary specialized and higher educational institutions located on the territory of the respective soviet.

Nomination of candidates in labor collectives of enterprises, institutions, and organizations numbering more than 150 people may take place at meetings of the collectives of shops, departments, sections, brigades and other elements of the enterprises, institutions, and organizations, if no fewer than 30 people work in these elements. Here joint meetings of several collectives may be held.

Social organizations shall nominate candidates for deputy at oblast, rayon, city, and city rayon plenums of the electoral organs of these organizations.

Meetings of voters at place of residence to nominate candidates for deputy shall be convened by okrug electoral commissions, or rayon, city, city rayon, settlement and village electoral commissions, in coordination with the respective soviets or their presidiums.

A meeting shall be competent if no fewer than 150 voters living on the territory of the electoral okrug are present; when nominating candidates for deputy to settlement and village soviets, the number of voters present at the meeting shall not be limited.

Meetings of military personnel to nominate candidates for deputy shall be convened by the military unit commands. When it is not possible to hold a general meeting of unit military personnel, meetings shall be held by subunits.

Before a meeting is opened, its competence shall be established on the basis of the results of registration of the meeting participants. A presidium, or a chairman and secretary, shall be elected to hold the meeting.

Conditions shall be created at meetings (conferences) and plenums of electoral organs of social organizations, for discussing an unlimited number of candidacies. Each participant in the meeting (conference) or plenum shall have the right to propose candidates for deputy, participate in discussing them, support proposed candidatures or make objections to them, and propose his own candidature for discussion as a candidate for deputy.

The decision about nominating a candidate for deputy shall be made by open or secret voting. Voting procedure and other procedural questions shall be established by a meeting (conference) or plenum of the electoral organ of a social organization.

A candidate for deputy shall be considered nominated if more than half of the participants in the meeting (conference), or plenum of the electoral organ of a social organization, vote for him.

A report shall be compiled on the nomination of candidates for deputy. The candidate for deputy shall be informed about the decision in no more than two days.

Citizens working or living on the territory of the respective soviet shall be nominated as candidates for deputy to local soviets. A citizen of the Azerbaijan SSR may not be simultaneously a deputy to more than two soviets of people's deputies.

Electoral commissions organizing the nomination of candidates for deputy shall inform the population about the nominated candidates for deputy to the respective soviets.

#### **Article 34. Registration of Candidates for Deputy to Local Soviets.**

Registration of candidates for deputy shall be carried out by okrug electoral commissions for elections to the respective soviet, as well as by rayon, city, city rayon, settlement, and village electoral commissions.

Registration of candidates for deputy to local soviets shall be accomplished by representation of labor collectives, organs of social organizations, collectives of secondary specialized and higher educational institutions, and meetings of voters at place of residence and of military personnel in their military units, which nominated candidates for deputy.

Registration of candidates for deputy shall begin 45 days and conclude one month before the elections.

The decision to register candidates for deputy shall be made with the following documents present: reports on the nomination of candidates for deputy for the electoral okrug, and statements by the candidates for deputy of their agreement to be placed on the ballot in the given electoral okrug.

Persons enumerated in Article 12 of this law, as well as persons who are deputies of two soviets, when they are nominated as candidates for deputy indicate in their statements their intention to leave their positions in the event of their election as deputies, or to cease their term of office in one of the soviets early, or request removal of their candidatures.

The respective electoral commission shall compile a report on registration of candidates for deputy; this report, along with the statements by the candidates for deputy agreeing to be placed on the ballot in the given electoral district, shall be presented to the higher electoral commission.

All candidates for deputy nominated in observance of the requirements of this law must be registered. Refusal to register a candidate for deputy may be appealed within a three day period to the higher electoral commission, soviet, or its presidium respectively.

A candidate for deputy may be placed on the ballot only in one electoral okrug of the same soviet.

A candidate for deputy registered in one electoral okrug of a local soviet may not be presented for registration in another electoral okrug of this soviet, even in the case of removal of his candidature in the electoral okrug where he was initially registered.

A candidate for deputy may not be on the respective oblast, rayon, city, city rayon, settlement, or village electoral commission, or on the okrug or district electoral commission of that electoral okrug in which he has been nominated as a candidate for deputy. A person nominated as a candidate for deputy who is a member of one of these commissions is considered released from his

duties in the commission from the moment he is registered as a candidate for deputy.

No later than the fourth day following the registration of candidates for deputy, the electoral commission shall publish in the press a report on the registration, indicating the last name, first name, patronymic, year of birth, position occupied (occupation), party affiliation, and places of work and residence of each candidate for deputy.

A certification shall be issued to each registered candidate for deputy to a local soviet.

**Article 35. Revocation of a Decision on Nominating a Candidate for Deputy to a Local Soviet. Withdrawal of a Candidacy by a Candidate for Deputy.**

The labor collective, social organization, collective of the secondary specialized and higher educational institution, meeting of voters at their place of residence and of military personnel in their military unit, which has nominated a candidate for deputy to a local soviet of people's deputies, shall have the right at any time before the elections to revoke its decision nominating a candidate for deputy. This question shall be decided in the manner provided for nomination of candidates for deputy, and shall be presented to the respective electoral commissions.

A candidate for deputy at any time before elections may remove his candidature, having made a statement to this effect to the electoral commission that registered him as a candidate for deputy.

The electoral commission that registered a candidate for deputy shall inform the population of the electoral okrug about the revocation of a decision nominating a candidate for deputy, or about the candidate's withdrawal of his candidacy.

**Article 36. Procedure for Nominating Candidates for Deputy to a Local Soviet to Replace Removed Candidates.**

In the event of removal of candidates for deputy to a local soviet of people's deputies following the end of the time of registration of candidates for deputy, if no other candidates remain in a single-mandate electoral okrug, or in a multi-mandate electoral okrug fewer candidates remain than deputy mandates, the respective electoral commission shall request that labor collectives, social organizations, collections of secondary specialized and higher educational institutions, and meetings of voters in their place of residence and of military personnel in their military units nominate new candidates for deputy.

When candidates for deputy are removed less than one month before the elections, the election of a deputy for the respective electoral okrug shall be carried out two months following the general elections.

The nomination of candidates for deputy to replace removed candidates shall take place in the manner established by this law.

**Article 37. Ballot.**

The ballot shall include, in alphabetical order, all registered candidates for deputy to local soviets of people's deputies, indicating the last name, first name, patronymic, position occupied (occupation), place of work and residence of each candidate for deputy.

The respective electoral commission shall confirm the text of the ballot for the electoral okrug. Ballots shall be printed in the Azerbaijani language and the languages that are used by the population of the electoral okrug.

Ballots shall be furnished to all district electoral commissions no later than five days before the elections.

**VII. Guarantees of the Activity of Candidates For Deputy to Local Soviets**

**Article 38. The Right of Candidates for Deputy to Local Soviets to Take Part in the Election Campaign.**

From the moment of their nomination, candidates for deputy to local soviets of people's deputies shall take part in the election campaign on an equal footing.

Candidates for deputy shall have the right to speak at election and other meetings, conferences and sessions, in the press, and on television and radio.

State and social organs, leaders of enterprises, institutions and organizations, shall be required to assist a candidate for deputy to organize meetings with voters, hold election meetings, and obtain necessary reference and informational materials.

**Article 39. The Election Program of a Candidate for Deputy to a Local Soviet.**

A candidate for deputy to a local soviet of people's deputies may come forth with a program of his future activity. The program of a candidate for deputy must not contain provisions aimed at forcibly changing the constitutional foundations of the state and social system of the USSR and the Azerbaijan SSR, war propaganda, or calls for inflaming racial, inter-ethnic, or religious discord, or violating human rights and freedoms.

**Article 40. Agents of a Candidate for Deputy to a Local Soviet.**

A candidate for deputy to a local soviet of people's deputies may have up to three agents, who assist him in conducting the election campaign, conduct agitation to elect him as a deputy, and represent his interests in relations with state and social organs and voters, as well as in electoral commissions.

A candidate for deputy shall determine his agents at his own discretion and report on them for registration to the appropriate electoral commission. Following the registration of agents, the electoral commission shall issue them a certification. The candidate for deputy shall bear responsibility for the actions of his agents, and shall be authorized to replace them at any time before the elections.

An agent may not be on one of the electoral commissions of the okrug.

#### **Article 41. Election Agitation.**

Labor collectives, social organizations, collectives of secondary specialized and higher educational institution, and voters at their places of residence and military personnel in their military units, which nominate candidates for deputy, shall be given the right of unimpeded agitation on behalf of their candidates.

Labor collectives, social organizations, collectives of secondary specialized and higher educational institutions, voters at their places of residence and military personnel in their military units shall be given equipped facilities by the electoral commission to hold gatherings and meetings, as well as means of mass information to conduct election agitation.

Citizens, labor collectives, social organizations, and the collectives of secondary specialized and higher educational institutions shall be guaranteed the opportunity to discuss freely and thoroughly the political, professional and personal qualities of candidates for deputy, as well as the right to agitate for or against candidates at meetings, in the press, and on television and radio.

Candidates for deputy shall meet with their voters, both in meetings, and in other ways convenient for the voters.

Meetings of voters shall be organized by the respective electoral commissions, jointly with the soviets or their presidiums.

Voters shall be informed of the time and place of gatherings and meetings after no more than two days.

Agitation on election day shall be prohibited.

#### **Article 42. Release of a Candidate for Deputy to a Local Soviet from Production or Service Duties to Participate in Election Measures.**

A candidate for deputy to a local soviet of people's deputies, following registration, for the time of holding meetings with voters, making speeches at election gatherings and meetings, and on television and radio, shall be released from fulfillment of production or service duties, with retention of his average wage from funds allocated for elections.

#### **Article 43. The Right of a Candidate for Deputy to a Local Soviet to Free Passage.**

A candidate for deputy to a local soviet of people's deputy, following registration, shall have the right to free passage on all types of passenger transport (except taxis) within the boundaries of the territory of the respective soviet. A candidate for deputy who lives outside the boundaries of the territory of the local soviet shall enjoy the same right of free passage to the electoral okrug and return to his place of residence.

#### **Article 44. Immunity of a Candidate for Deputy to a Local Soviet.**

A candidate for deputy to a local soviet of people's deputies may not be brought to criminal accountability, arrested, or subjected to measures of administrative punishment imposed by a court, without the concurrence of the appropriate electoral commission.

### **VIII. Procedure for Voting and Summing up the Results of Elections**

#### **Article 45. Time and Place of Voting.**

For elections of deputies to local soviets of people's deputies, voting shall take place on election day from 0700 until 2000 hours, local time. The district electoral commission shall notify the voters of the time and place of voting no later than 10 days before the election.

In case of need, taking into account local conditions, the oblast, rayon, city, city rayon, settlement and village electoral commissions, in coordination with higher soviets or their presidiums, may change the time of voting.

In electoral districts formed on ships underway on election day, in military units, and in remote and inaccessible areas, the district electoral commission may declare voting completed at any time, if all voters included in the roll have voted.

#### **Article 46. Organization of the Voting Process.**

The voting will take place in premises especially assigned for the purpose. They must contain an adequate number of balloting booths or rooms for secret balloting, specific places where the ballots are issued, and ballot boxes. The location of the ballot boxes must be such that in order to reach them the voters must go through a balloting booth or room for secret balloting.

The sectorial electoral commission is responsible for organizing the voting process, ensuring voter confidentiality, providing the necessary voting facilities in the premises and maintaining the necessary order in them.

On elections day, the chairman of the sectorial electoral commission shall check the ballot boxes and seal them with lead or wax in the presence of the members of the electoral commission.

Each voter shall cast his ballot in person. Voting for third persons shall not be permitted. The ballots shall be supplied by the district electoral commission on the basis of the voters' list for the electoral district, against presentation of their internal passport or another identification document. A check mark shall be made against the names of the voters to whom ballots have been issued.

Should voters be unable to go to the voting place for reasons of health or for some other reasons, the sectorial electoral commission shall assign individual commission

members to organize the casting of ballots at the site where said voters are located.

#### **Article 47. Casting the Ballot**

The ballots shall be filled by the voters in the booth or room for secret balloting. The presence of any person other than the voter while marking the ballot is prohibited.

A voter who is incapable of marking the ballot by himself has the right to request the presence of another person in the voting booth or room.

In the election of people's deputies of local soviets, the voter shall strike out the names of candidates listed on the ballot, against whom he is voting.

The voter shall drop the filled ballot into the ballot box.

#### **Article 48. Counting Votes in an Electoral District.**

In elections of deputies to local soviets of people's deputies, the votes in an electoral district shall be counted by the district electoral commissions, separately for each electoral okrug and each candidate for deputy.

Election boxes shall be opened by the district electoral commission after the commission chairman announces the end of voting. Opening of election boxes before the end of voting shall be prohibited. Before election boxes are opened, all unused ballots shall be counted and cancelled by the district electoral commission.

The district electoral commission shall determine from the voter rolls the total number of voters in the district, as well as the number of voters who received ballots. Based on the ballots contained in the election boxes, for each electoral okrug (within the boundaries of a given electoral district) the commission shall determine the total number of voters taking part in the voting; the number of votes submitted for and the number of votes submitted against each candidate for deputy, and the number of ballots judged invalid. Votes containing the names of citizens written in on the ballots by voters shall not be counted.

Ballots in which the names of all candidates are crossed out shall be considered valid. On them the votes shall be counted as submitted against each candidate.

The results of the vote counting shall be examined at a session of the district electoral commission, and shall be included in the report compiled separately for each electoral okrug. The report shall be signed by the chairman, deputy chairman, secretary and members of the commission, and be sent immediately to the appropriate electoral commission, in the manner established by the oblast, rayon, city, city rayon, settlement, or village electoral commission.

#### **Article 49. Invalid Ballots.**

Ballots that are not filled in, as well as ballots in which, for voting in a single-mandate electoral district, more than one candidate is left, shall be considered invalid.

When doubts of the validity of a ballot arise, the question shall be decided by vote of the district electoral commission.

#### **Article 50. Establishing the Results of Elections by Electoral Okrug.**

In accordance with this law, the results of elections shall be established:

1) by electoral okrugs for elections of deputies to the Nagorno-Karabakh Autonomous Oblast Soviet of People's Deputies, and the Baku and Kirovabad city soviets of people's deputies, by the respective okrug electoral commissions, from the reports of the district electoral commissions;

2) by electoral districts for elections of deputies to rayon, city, city rayon, settlement and village soviets of people's deputies, by rayon, city, city rayon, settlement and village electoral commissions, from the reports of the district electoral commissions.

Based on the reports of the district electoral commissions, and the counting of votes submitted in the electoral district, the electoral commissions shall determine: the total number of voters by okrug; number of voters who obtained ballots; number of voters who took part in the voting; number of votes submitted for and number of votes submitted against each candidate for deputy; number of ballots judged invalid.

Candidates for deputy shall be considered elected if they received in the elections more than half of the votes of the voters who took part in the voting. In a multi-mandate electoral okrug, depending on the number of deputy mandates, those candidates who collected the most votes, compared with the others, become deputies. The remaining candidates who collected more than half of the votes shall be considered elected reserve deputies.

The results of the elections in an electoral okrug shall be established at a session of the okrug electoral commission, or one fulfilling its functions, and shall be entered in the report. The report shall be signed by the chairman, deputy chairman, secretary and members of the commission, and shall be sent to the appropriate electoral commission in the form established by it.

#### **Article 51. Declaring Elections in an Electoral Okrug Invalid or Void.**

An okrug electoral commission, or one fulfilling its functions, may declare elections in an electoral okrug invalid, due to violations of this law, committed in the course of the elections or during the vote counting.

Elections shall be declared void if less than half of the voters took part in them, and in a single-mandate electoral okrug, also in connection with the removal of a candidate for deputy, if one candidate was registered in the okrug.

#### **Article 52. Registration of Deputies to a Local Soviet.**

The appropriate electoral commission for elections of deputies, from the report on the results of the elections, sums up the results of the elections and registers the deputies to the local soviet of people's deputies, elected in each electoral okrug.

The electoral commission may refuse to register a deputy and declare the elections invalid if, in the course of the elections or the vote counting, or during determination of the results of elections in the okrug, there were violations of this law.

#### **Article 53. Publication of Election Results.**

A report about the results of the elections, and a list of the elected deputies, shall be published in the press by the appropriate electoral commission, no later than the fifth day following the elections.

The report shall indicate the total number of citizens included in the voter rolls; the number of voters who took part in the voting; the number of votes submitted for and the number of votes submitted against each candidate; the number of invalid ballots, and the number of okrugs in which repeat elections or runoffs will be held.

The list of elected deputies and reserve deputies to a local soviet of people's deputies shall be published in alphabetical order, indicating their last name, first name, patronymic, year of birth, position occupied (occupation), party membership, places of work and residence, and the electoral okrug in which they were elected.

#### **IX. Runoff, Repeat Elections, Elections of Deputies to Local Soviets to Replace Removed Deputies, and Elections in Newly Formed Administrative-Territorial Entities**

##### **Article 54. Runoff.**

If in a single-mandate electoral okrug, more than two candidates for deputy to local soviets of people's deputies were on the ballot, and none was elected, the respective electoral commission shall decide on holding a runoff in the okrug for the two candidates for deputy who received the most votes.

A runoff in elections of deputies in a multi-mandate electoral okrug shall be held by the respective electoral commission, in the case of an equal number of votes submitted for individual candidates for deputy, which prevents determination of the elected people's deputy.

A runoff shall be held within no more than two weeks, observing the requirements of this law. A report on the holding of a runoff shall be published in the press.

The candidate for deputy who received in the runoff in a single-mandate electoral okrug the most votes of the voters taking part in the voting, with respect to the other candidate, shall be considered elected. In a multi-mandate electoral okrug, depending on the number of deputy mandates, only those candidates who collected the most votes of the voters who took part in the voting become deputies. The remaining candidates shall be considered elected reserve deputies.

##### **Article 55. Repeat Elections.**

If, in a single-mandate electoral okrug, no more than two candidates for deputy to local soviets of people's deputies were on a ballot, and neither of them was elected, or the elections in the electoral okrug were declared void or invalid, or a runoff did not make it possible to determine the elected deputy, and in a multi-mandate electoral okrug also in a case when the number of elected deputies turned out to be fewer than the number of deputy mandates, the respective electoral commission shall decide on holding repeat elections in the electoral okrug. Here it may decide on the need for newly constituted okrug and district electoral commissions to hold the elections. Voting is carried out in the same electoral districts, and using the voter rolls compiled for holding the general elections.

In the event that repeat elections are held, citizens of the Azerbaijan SSR who did not collect the necessary number of votes in the course of the general elections in the given electoral okrug, may not again be placed on the ballot.

Repeat elections shall be held no later than two months following the general elections. The formation of electoral commissions, nomination and registration of candidates for deputy, and other measures shall be conducted in the manner established by this law. A report on the holding of repeat elections shall be published in the press.

##### **Article 56. Holding Elections of Deputies to Local Soviets to Replace Removed Deputies.**

In the event that the local soviet of people's deputies declares the powers of individual deputies invalid, as well as in the event of the removal of a deputy, or early cessation of deputy powers for other reasons, new elections shall be held in the respective electoral okrugs three months from the moment the deputy is removed. This procedure for holding elections of deputies to replace removed deputies shall entail in multi-mandate electoral okrugs in the absence of reserve deputies. Elections shall be called by the appropriate electoral commission no later than two months before they are held, and shall be organized with the requirements of this law observed.

In multi-mandate electoral okrugs, in the event the local soviet declares the powers of individual deputies invalid, or in the event of the removal of a deputy or early cessation of the powers of a deputy for other reasons, and if reserve deputies exist, no new elections shall be held.

In these cases, a decision shall be made at the next session of the local soviet for presentation of its mandate commission about transferring the deputy mandate to the reserve deputy who received the greatest number of votes compared to the other reserve deputies elected in the given okrug. In the event of the early cessation of the powers or removal of a deputy less than six months before the end of the term of office of the local soviet, no elections of a deputy to replace the removed deputy shall be held.

**Article 57. Holding Elections of Deputies to Local Soviets in Newly Formed Administrative-Territorial Entities.**

Elections of deputies to local soviets of people's deputies in newly formed administrative-territorial entities shall be held when it is not possible to form a local soviet due to the lack of or an insufficient number of deputies elected to the soviet on the territory that has become part of the newly formed administrative-territorial entities.

Elections of deputies to the soviet of a newly formed administrative-territorial entity shall be called by the higher soviet no later than two months from the day of formation of the administrative-territorial entity, and shall be held in a manner established by this law.

**X. Certification of the Election of a Deputy. Forms of Electoral Documents and Procedure For Their Storage. Standard Election Box.**

**Article 58. Certification and Badge of a Deputy to a Local Soviet.**

The okrug electoral commission, or the commission fulfilling its function, after publication in the press of the lists of registered deputies (reserve deputies), issues to each elected deputy (reserve deputy) a certification of his election.

After confirmation by the local soviet of people's deputies of the powers of the elected deputies (reserve deputies), the certifications of election as deputies (reserve deputies) that were issued to them shall be replaced by certifications of a deputy (reserve deputy). The deputy is also issued the appropriate badge.

In case of the removal of a deputy or the early cessation of his deputy powers in connection with a verdict of guilty entered into legal force with respect to an individual who is a deputy, the certification and badge of a deputy are subject to being returned to the respective local soviet of people's deputies.

**Article 59. Forms of Electoral Documents and Model Election Box.**

Forms of voter rolls, minutes of electoral commissions, the form and color of ballots, forms of certification of a candidate for deputy and an agent, and about the election of a deputy (reserve deputy) as a deputy (reserve deputy), a model of the deputy badge, as well as a model of the election box, shall be established by the Azerbaijan SSR Supreme Soviet Presidium.

**Article 60. Procedure and Time of Storage of Electoral Documents.**

The clerical work of okrug and district electoral commissions shall be transferred at the conclusion of their work to the appropriate oblast, rayon, city, city rayon, settlement, or village electoral commission.

The procedure and time of storage of electoral documents shall be established by the Azerbaijan SSR Supreme Soviet Presidium.

**Azerbaijan SSR Local Election Law Comparison**

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[Editorial Report] Baku BAKINSKIY RABOCHIY in Russian on 1 July 1990 carries on pages 1, 2 and 3 the "Law of the Azerbaijan Soviet Socialist Republic on Elections of Deputies to Local Soviets of People's Deputies of the Azerbaijan SSR." Comparison of this version with draft law carried in BAKINSKIY RABOCHIY on 25 November 1989 reveals the following variations:

Page 1, Section I, Article 2, paragraph one reads: "Elections of deputies of local soviets of people's deputies of the Azerbaijan SSR will be universal: The right to elect and to be elected deputy is granted to a citizen of the Azerbaijan SSR who has reached 18 years of age" (changing word order);

Article 2, paragraph three substitutes "...people serving court sentences and people kept under guard by a decision of a criminal court..." for "...people confined in places of detention by court order or by the authority of the public prosecutor and people undergoing compulsory treatment by court order...";

Article 3, paragraph one omits reference to candidate;

Article 7, paragraph one, first sentence reads: "...commissions and lists..." (substituting "and" for comma);

Article 7, paragraph three, first sentence substitutes "...election results, as well as other assemblies and meetings connected with the elections, can be attended..." for "...election results can be attended..."; second sentence substitutes "...labor collective, social organization, collective..." for "...labor collective, collective..."; third and fourth sentences are separate paragraph in November draft;

Article 7, paragraphs four and five combine fifth paragraph in November draft; paragraph five substitutes "...will supply the news media with materials connected with..." for "...will supply them with information connected with...";

Article 8, heading substitutes "Participation by Citizens, Labor Collectives, Social Organizations, and Collectives of Secondary Specialized and Higher Academic Institutions in Preparations..." for "Participation in Preparations...";

Article 10, paragraph two omits reference to USSR;

Article 12, paragraph one reads: "To guarantee each candidate for deputy equal conditions, expenditures connected with the preparations and proceedings of elections of deputies of local soviets of people's deputies will be covered by electoral commissions from a single centralized fund formed by the oblast, rayon, city, municipal rayon, village, or rural electoral commission for elections of deputies to the appropriate soviets with state funds and the voluntary contributions of enterprises, social and other organizations, and citizens" (adding words, changing word order, and providing alternate translation); omits paragraphs three of four of November draft, referring to coverage of campaign expenses by enterprises, citizens, and candidates;

Article 13, paragraph two reads: "If the candidate for deputy violates this law, he will be issued a warning by the electoral commission which registered the candidate, and if there is a second violation, the oblast, rayon, city, municipal rayon, village, or rural electoral commission can cancel the registration of this candidate for deputy and then notify the population of the electoral district of this action" (adding entire paragraph);

Article 13, paragraph three is second paragraph in November draft;

Section II, Article 14, paragraph one substitutes "Elections of deputies to all local..." for "Elections to all local..."; substitutes "...Azerbaijan SSR Supreme Soviet no later than two months prior..." for "...Azerbaijan SSR Supreme Soviet or its Presidium no later than three months prior...";

Article 15, paragraph one substitutes "...elections of deputies to local..." for "...elections to local...";

Article 15, paragraph two is fourth paragraph in November draft; paragraph three is second paragraph in November draft and substitutes "...up to 250 districts" for "...up to 400 electoral districts";

Article 15, paragraph four is third paragraph in earlier draft and substitutes "...Gyandzha and Sumgait city soviets..." for "...Kirovabad and Sumgait city soviets...";

Article 15, paragraph five substitutes "...cities of republic and oblast jurisdiction..." for "...cities of republic jurisdiction..."; paragraphs five and six substitute "districts" for "electoral districts";

Article 15, paragraph seven substitutes "...soviet of people's deputies—up to 50 districts" for "...soviet of people's deputies (in cities of rayon jurisdiction)—up to 50 electoral districts";

Article 15, paragraph eight substitutes "...in cities of Baku and Gyandzha—up to 75 districts" for "...in cities of Baku and Kirovabad—up to 100 electoral districts"; paragraph nine substitutes "districts" for "electoral districts";

Article 15, paragraph eleven reads: "In the Soviet of People's Deputies of the Nagorno-Karabakh Autonomous Oblast and soviets of people's deputies of rayons and cities (of republic jurisdiction)—by the Azerbaijan SSR Supreme Soviet or its Presidium" (adding words and omitting names of cities);

Article 15, paragraph thirteen substitutes "...will be formed by the oblast, rayon, city, municipal rayon, village, or rural electoral commission at the request..." for "...will be formed by the appropriate electoral commissions at the request...";

Article 15, paragraph fourteen is end of previous paragraph in earlier draft and reads: "...elections of deputies of Soviet of People's Deputies of Nagorno-Karabakh Autonomous Oblast, Baku, and Gyandzha city soviets, and rayon soviets..." (changing word order and substituting "Gyandzha" for "Kirovabad");

Article 15, paragraph fifteen substitutes "...deputies of city (in cities with no rayon divisions), municipal rayon..." for "...deputies of city (in cities of rayon jurisdiction), municipal rayon...";

Section III, Article 16, paragraph two is second sentence of first paragraph in November draft and substitutes "...their location in the ship's port of hail" for "...their location or the ship's port of hail"; omits earlier second paragraph referring to precincts on ships;

Article 17, paragraph one, second sentence substitutes "...will be formed by the appropriate local soviets..." for "...will be formed by local soviets..."; third sentence substitutes "...at the request of units or..." for "...at the request of commanders of units or...";

Article 17, paragraph two, first sentence substitutes "...15th day after the elections have been scheduled" for "...two months before the elections";

Page, Section IV, Article 18, paragraph four substitutes "City electoral commissions..." for "City (with the exception of cities of rayon jurisdiction) electoral commissions...";

Article 18, paragraph eight substitutes "...deputies of Soviet of People's Deputies of Nagorno-Karabakh Autonomous Oblast and Baku and Gyandzha city soviets" for "...deputies of oblast and Baku and Kirovabad city soviets";

Article 18, paragraph ten, first sentence substitutes "...rayon, city (in cities with no rayon divisions), village..." for "...rayon, city (in cities of rayon jurisdiction), village...";

Article 19, paragraph one substitutes "10th day" for "7th day";

Article 20, heading substitutes "Gyandzha" for "Kirovabad";

Article 20, paragraph one substitutes “The oblast and Baku and Gyandzha city electoral commissions for elections...” for “The oblast, Baku and Kirovabad city, and Nagorno-Karabakh electoral commission for elections...”;

Article 21, paragraph twelve substitutes “...biographical data on candidates...” for “...biographical data of candidates...”;

Article 22, paragraph one substitutes “Gyandzha” for “Kirovabad” and substitutes “15th day” for “20th day”;

Article 23, paragraph six substitutes “...biographical data on candidates...” for “...biographical data of candidates...”;

Article 24, paragraph one, first sentence substitutes “...13th day after elections are scheduled...” for “...40 days before elections...”;

Article 24, paragraph two substitutes “...bodies of social organizations, their primary organizations, collectives...” for “...bodies of social organizations, the primary organizations of social organizations or their bodies, collectives...” and adds “citizens’ independent activity groups” between “academic institutions” and “assemblies of voters”;

Article 24, paragraph four substitutes “...open ballot” for “...open or secret ballot”;

Article 24, paragraph five substitutes “...will come to an end at the same time as the term of the district electoral commissions stipulated in Article 22 of this law” for “...will come to an end after the appropriate soviet of people’s deputies has recognized the authority of the elected deputies”;

Article 25, paragraph three substitutes “...changes and additions” for “...changes”;

Article 25, paragraph four reads: “3) will accept election ballots in sealed envelopes from voters who have changed their place of residence between the time when the lists of voters are posted and election day and will guarantee the secrecy of the voters’ choices” (adding entire paragraph);

Article 25, paragraphs 5-10 are paragraphs 4-9 in earlier draft;

Section V, Article 30, paragraph one substitutes “...living permanently or temporarily within the territory...” for “...living within the territory...”;

Article 31, paragraph four is first paragraph of Article 32 in earlier draft and reads: “...at their request and upon the submission of an identification card or other proof of identity” (omitting reference to supplemental list at end of this paragraph and in second paragraph of earlier draft);

Article 32, heading reads: “Guarantee of Citizen’s Right To Vote After Change of Residence” (adding new heading);

Article 32, paragraph one reads: “If a voter changes his place of residence after the lists of voters have been posted and before election day, he has the right to submit his choice of the candidates on the ballot in a sealed envelope to the precinct electoral commission. The precinct electoral commission will make the appropriate notation on the list of voters upon the submission of an identification card or other proof of identity by the voter” (adding entire paragraph);

Section VI, Article 33, paragraph one substitutes “...will begin on the 15th day after elections are scheduled and end 25 days before the elections” for “...will begin two months before the elections and end 40 days before”;

Article 33, paragraph two substitutes “Gyandzha” for “Kirovabad” twice;

Article 33, paragraph five substitutes “...plenums and conferences of elected bodies...” for “...plenums of elected bodies...”;

Article 33, paragraph six, second sentence is seventh paragraph in earlier draft;

Article 33, paragraph fourteen is second sentence of previous paragraph in November draft;

Article 34, paragraph three substitutes “...begins 30 days before elections and ends 20 days before” for “...begins 45 days before elections and ends a month before”;

Article 34, paragraph five substitutes “Article 11” for “Article 12”;

Section VII, Article 38, paragraph one combines two paragraphs in November draft;

Article 40, paragraph three substitutes “...electoral commissions in the electoral district” for “...electoral commissions in the district”;

Page 3, Article 41, paragraph one is fourth paragraph in November draft; paragraph two is fifth paragraph in earlier draft; paragraph three is earlier sixth paragraph and substitutes “...voters will be notified in advance” for “...voters will be notified at least two days in advance”; paragraph four is first paragraph in earlier draft; paragraph five is earlier second paragraph; paragraph six is third paragraph in draft and substitutes “Citizens of the Azerbaijan SSR, labor...” for “Citizens, labor...” and adds “and military units” following “academic institutions”;

Section VIII, Article 46, paragraph five substitutes “...commission will authorize at least two commission members...” for “...commission will authorize individual commission members...”;

Article 48, paragraph two, first sentence substitutes “...ballot boxes and the sealed envelopes submitted to

the precinct electoral commission by voters who have moved will be opened..." for "...ballot boxes will be opened...";

Article 48, paragraph three, first sentence substitutes "...also the number of voters receiving ballots and submitting sealed envelopes" for "...also the number of voters receiving ballots"; second sentence substitutes "...ballots in the ballot boxes and in voters' envelopes, for each electoral..." for "...ballots in the ballot boxes, for each electoral...";

Article 48, paragraphs four and five are first and second paragraphs of Article 49 in November draft;

Articles 49-59 are articles 50-60 in November draft;

Article 49, paragraph two substitutes "Gyandzha" for "Kirovabad";

Section IX, Article 54, paragraph four is end of previous paragraph in November draft;

Adds signature of President A. Mutalibov of Azerbaijan Soviet Socialist Republic and date and place: 26 June 1990, Baku.

## Belorussian SSR

### Belorussian SSR Draft Law on Elections of People's Deputies for Local Soviets

180015804 Minsk SOVETSKAYA BEGORUSSIYA  
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[“Draft Law of the Belorussian Soviet Socialist Republic on the Election of People's Deputies to Local Soviets of People's Deputies in the Belorussian SSR”]

#### [Text] I. General Provisions

##### Article 1. Fundamental Principles of the Election of People's Deputies of Local Soviets of People's Deputies of the Belorussian SSR

In accordance with the Constitution of the Belorussian SSR, election of people's deputies to oblast, rayon, city, urban rayons, settlement, and village Soviets of People's Deputies of the Belorussian SSR shall be conducted by single-mandate electoral districts on the basis of universal, equal and direct suffrage, with secret balloting.

##### Article 2. Universal Suffrage

Elections of people's deputies to local Soviets of People's Deputies of the Belorussian SSR are universal: citizens of the Belorussian SSR who have reached age 18 have the right to vote and to be elected.

Every social group has its own representation in the Soviet. Any and all direct or indirect limitation on the voting rights of citizens of the Belorussian SSR with respect to origin, social or property status, racial or national origin; sex, education, language or religious

attitudes; length of residence in a given locality; and type and nature of occupation, is forbidden.

Mentally ill citizens who have been adjudged by a court to be incompetent; persons confined in places of incarceration or held under arrest, as well as persons sent by decision of the courts to places of mandatory treatment, shall not take part in elections.

#### Article 3. Equal Suffrage

Elections of people's deputies of local Soviets of People's Deputies of the Belorussian SSR are equal: a voter in every electoral district has a single vote; voters take part in the elections on an equal basis.

#### Article 4. Direct Suffrage

Elections of people's deputies of local Soviets of People's Deputies of the Belorussian SSR are direct: the people's deputies are directly elected by the citizens.

#### Article 5. Secret Balloting

Voting at elections of people's deputies of local Soviets of People's Deputies of the Belorussian SSR are secret: monitoring the expression of the voters' will is not permitted.

#### Article 6. Conduct of Elections by Electoral Commissions

The conduct of elections of people's deputies of local Soviets of People's Deputies of the Belorussian SSR are supported by electoral commissions, comprised of representatives of working collectives, collectives of students and pupils, social organizations, electorate meetings at one's place of residence, and military servicemen by military units.

#### Article 7. Glasnost in Preparations for and Conduct of Elections of People's Deputies of Local Soviets of People's Deputies of the Belorussian SSR

Preparations for and conduct of elections of people's deputies of local Soviets of People's Deputies of the Belorussian SSR shall be accomplished openly and publicly by electoral commissions, working collectives and social organizations.

The electoral commissions shall inform the citizens of their work; of the formation of electoral districts; of the composition, location and time for the work of the electoral commission; and of the lists of voters. The electoral commissions shall bring to the citizens' attention the results of registration of candidate deputies, biographical information on the candidates who have registered, the voting results for each candidate, and the results of the election.

Representatives of working collectives, social organizations and electoral meetings, or their authorized agents; and also representatives of the press, television and radio, shall have the right to be present at the meetings of the electoral commissions, to include the registration of

candidate deputies, the counting of votes by voting precinct, and the determination of election results by district.

The authority of representatives of working collectives, social organizations and residential electoral meetings must be proven by appropriate documentation, and they must give the electoral commission no less than two day's notice of their intention to attend.

The mass information media shall publicize the course of preparations for and conduct of elections of people's deputies of local Soviets of People's Deputies of the Belorussian SSR; their representatives shall be guaranteed access to all meetings and sessions associated with the elections. Electoral commissions, state and social organs, and working collectives shall furnish them the information associated with preparations for and conduct of the elections.

**Article 8. Participation of Citizens, Working Collectives and Social Organizations in the Preparations for and Conduct of Elections of People's Deputies of Local Soviets of People's Deputies of the Belorussian SSR**

Citizens of the Belorussian SSR take part in preparations for and conduct of elections of people's deputies both through their working collectives, collectives of students and pupils, social organizations, voter meetings at places of residence, military servicemen in their military units, and district pre-election meetings, and also directly.

Working collectives and social organizations take part in preparations for and conduct of elections of people's deputies of local Soviets of People's Deputies of the Belorussian SSR both through their representatives on the electoral commissions, and also directly.

**Article 9. The Right to Nominate Candidates for People's Deputies of Local Soviets of People's Deputies of the Belorussian SSR**

The right to nominate candidates for people's deputies of local Soviets of People's Deputies of the Belorussian SSR belongs to the working collectives, collectives of students and pupils, social organizations, voters' meetings at places of residence, and military servicemen by military units.

**Article 10. Voters' Mandates to People's Deputies of Local Soviets of People's Deputies of the Belorussian SSR**

The voters give their mandate to their deputies.

The procedure for the introduction, generalization, examination and organization of the fulfillment of mandates is established by the Law of the Belorussian SSR.

**Article 11. Incompatibility of the Status of a People's Deputy of a Local Soviet of People's Deputies of the Belorussian SSR with one's Official Position**

Persons who become part of an executive committee of a local Soviet of People's Deputies—with the exception of

their chairmen and chiefs of departments and administrations of executive committees of local Soviets of People's Deputies, judges and state arbitrators—may not be people's deputies of the Soviet to which they have been appointed or elected.

**Article 12. Expenses, Associated with Elections of People's Deputies of Local Soviets of People's Deputies of the Belorussian SSR. Material Support of Elections**

Expenses associated with preparations for and conduct of elections of people's deputies of local Soviets of People's Deputies of the Belorussian SSR, shall be assumed by the state. Enterprises, institutions and organizations, state and social organs shall place at the disposal of the electoral commissions accommodations, equipment and means of transportation necessary for preparing for and conducting the elections.

Neither candidates for people's deputy of local Soviets of People's Deputies of the Belorussian SSR, nor the voters, shall bear responsibility for expenses associated with preparations for and conduct of elections. Funds from enterprises, institutions, organizations and citizens may not be used for these purposes.

**Article 13. Liability for Violation of Laws on the Election of People's Deputies of Local Soviets of People's Deputies of the Belorussian SSR**

Persons who hinder by means of force, by fraud, by threat or other means, the free exercise of the right of a citizen of the Belorussian SSR to vote and be elected a people's deputy of a local Soviet of People's Deputies of the Belorussian SSR, or the right to carry out pre-election agitation; members of the electoral commissions and responsible persons from state and social organs guilty of forgery of voting documentation, or who unwittingly commit a miscount of ballots; and persons who violate the secrecy of the balloting, or who permit other violations of the current legislation—shall bear responsibility as established by law. Also subject to liability are persons who publish or spread by other means false information about a candidate for deputy, or who call for or agitate for boycotting the elections.

In the event a candidate for deputy violates the current legislation, he shall receive a warning from the appropriate territorial (district) electoral commission. In case of repeated violation, the Central Electoral Commission shall, upon application of the territorial (district) electoral commission, overturn the decision on registration of the candidate deputy.

Declarations of violation of the election laws received at electoral commissions or state and social organs during the period of preparations for the elections or after the elections, must be examined within a three-day period; those received on election day shall be examined immediately.

## **II. Procedure for Declaring Elections and the Formation of Electoral Districts**

### **Article 14. Declaration of Elections for People's Deputies of Local Soviets of People's Deputies of the Belorussian SSR**

Elections for people's deputies of local Soviets of People's Deputies of the Belorussian SSR shall be declared by the Belorussian SSR Supreme Soviet no less than three months prior to expiration of the term of the local Soviets of People's Deputies of the Belorussian SSR currently in office.

Elections of all local Soviets shall be held simultaneously.

Information on election day shall be published in the press.

### **Article 15. Formation of Electoral Districts**

For election of people's deputies of local Soviets of People's Deputies of the Belorussian SSR, electoral districts shall be formed as follows:

from 150 to 300 electoral districts shall be formed in the oblasts and in the Minsk city Soviets of People's Deputies;

from 75 to 100 electoral districts, in the rayon Soviets of People's Deputies;

from 75 to 150 electoral districts, in Soviets of People's Deputies in cities of oblast subordination;

from 50 to 100 electoral districts, in urban Soviets of People's Deputies;

from 25 to 35 electoral districts in urban Soviets of People's Deputies in cities of rayon subordination; and,

from 20 to 30 electoral districts, in settlement and village Soviets of People's Deputies.

The number of electoral districts shall be determined by the appropriate local Soviet of People's Deputies or by its presidium, within the norms established by the present article, in accordance with the size of the population, territory or other local conditions.

Electoral districts for election to oblast, rayon, city, urban rayon, settlement and village Soviets of People's Deputies shall be formed by the electoral commissions upon representation by the appropriate local Soviets of People's Deputies of the Belorussian SSR—on the whole, with an equal number of voters, taking into consideration the administrative-territorial divisions.

Each electoral district shall elect one people's deputy.

Lists of electoral districts, indicating their boundaries and number of voters, shall be published by the electoral commissions no later than the fifth day after declaring an election.

## **III. Election Precincts**

### **Article 16. Formation of Voting Precincts**

The territory of rayons, cities, and urban rayons shall be divided into voting precincts for the purpose of holding elections and counting votes during elections of people's deputies of local Soviets of People's Deputies. Voting precincts shall also be formed in military units and shall be parts of the electoral districts in which the units are situated.

Voting precincts may be formed at sanatoria and rest houses, and in hospitals and other in-patient medical institutions.

### **Article 17. Procedure and Norms for Forming Voting Precincts**

Voting precincts shall be formed by rayon and city (except for cities of rayon subordination), and by urban rayon Soviets of People's Deputies or by their presidiums in coordination with the appropriate electoral commissions.

In military units voting precincts shall be formed by local Soviets of People's Deputies or their presidiums, upon representation of the commanders of units or troop formations.

Voting precincts shall be formed no later than two months prior to the elections. In military units voting precincts shall be formed in the very same period, and in exceptional situations, not later than five days prior to the elections.

Voting precincts shall be formed with no fewer than 20 and not more than 3,000 voters.

The appropriate local Soviet of People's Deputies or its presidium shall inform the voters of the boundaries of every voting precinct, indicating the location of the precinct electoral commission and the accommodations for voting.

## **IV. Electoral Commissions**

### **Article 18. The Electoral Commission System**

The following shall be formed in order to hold elections of people's deputies in oblast, rayon, city, urban rayon, settlement and village Soviets of People's Deputies of the Belorussian SSR: a Central Electoral Commission; territorial electoral commissions—oblast, rayon, city, urban rayon, settlement and village electoral commissions; district electoral commissions (for elections to oblast and the Minsk City Soviet of People's Deputies); and precinct electoral commissions.

When elections are held simultaneously for people's deputies of the Belorussian SSR and people's deputies of local Soviets of People's Deputies, a Central Electoral Commission for elections to local Soviets of People's Deputies shall not be formed, and its authority shall be

carried out by the Central Electoral Commission for Election of People's Deputies of the Belorussian SSR.

**Article 19. Formation of the Central Electoral Commission for Election of People's Deputies of Local Soviets of People's Deputies of the Belorussian SSR**

A Central Electoral Commission for Election of People's Deputies of Local Soviets of People's Deputies of the Belorussian SSR shall be formed by the Belorussian SSR Supreme Soviet, taking into consideration the suggestions of the oblast and Minsk City Soviets of People's Deputies or their presidiums and appropriate organs of social organizations, no later than 90 days prior to the elections. The commission shall be comprised of a chairman, two deputy chairmen, a secretary and 15 members.

The term of office of the Central Electoral Commission is five years.

**Article 20. Authority of the Central Electoral Commission for Election of People's Deputies of Local Soviets of People's Deputies of the Belorussian SSR**

The Central Electoral Commission for Election of People's Deputies of Local Soviets of People's Deputies of the Belorussian SSR shall:

1) maintain control over the execution of the given law for the whole territory of the Belorussian SSR and shall ensure its consistent application; and, where necessary, shall make representation to the Belorussian Supreme Soviet on interpretation of the present law;

2) direct the activity of the electoral commissions and determine the procedure for introducing changes to the make-up of the electoral commissions;

3) distribute monetary assets among the electoral commissions; monitor the provision to the electoral commissions of accommodations, transportation and communications; and, examine other questions of the material-technical supply of the elections;

4) establish the form of the ballots for election of people's deputies of local Soviets of People's Deputies of the Belorussian SSR, lists of voters, protocols of pre-election meetings and sessions of electoral commissions and other election documents, specimens of ballot boxes and seals of electoral commissions, and the procedure for storing election documents;

5) hear reports from ministries, state committees and departments of the Belorussian SSR and other state and social organs on questions associated with preparations for and conduct of elections;

6) tally the results of elections throughout the republic and publish information in the press on the results of elections of people's deputies of local Soviets of People's Deputies of the Belorussian SSR;

7) examine statements and complaints on the decisions and actions of electoral commissions, and make the final decision on them; and,

8) exercise other authority in accordance with the present Law and other laws of the Belorussian SSR.

**Article 21. Formation of Territorial Electoral Commissions**

The Minsk Oblast and City Electoral Commission shall be comprised of 13-19 members.

Rayon, city (cities of oblast subordination), and urban rayon electoral commissions shall be comprised of 13-19 members as well.

City (cities of rayon subordination), settlement and village electoral commissions shall be comprised of 7-11 members.

Territorial electoral commissions shall be formed by the appropriate Soviet of People's Deputies or their presidium no later than 75 days prior to the elections.

**Article 22. Authority of Territorial Electoral Commissions**

The territorial electoral commission shall:

1) implement control over execution of the present Law on the territory of the corresponding Soviet;

2) direct the activity of subordinate electoral commissions;

3) form the election district for elections to the corresponding Soviet;

4) distribute monetary assets among the electoral commissions;

5) hear reports from the executive and administrative organs of local Soviets of People's Deputies and the administrators of enterprises, institutions and organizations, on questions associated with preparations for and conduct of elections;

6) monitor the compilation of voter lists, and present them for general familiarization;

7) examine statements and complaints for resolution and action of the subordinate electoral commission, and take decisions on them;

8) tally the election results of the corresponding local Soviets of People's Deputies. The village and settlement territorial electoral commission shall present information on election results to the rayon territorial electoral commission; rayon, city and urban rayon commissions, to the oblast electoral commission; and the latter, to the Central Electoral Commission;

9) register the deputies elected to the corresponding Soviets of People's Deputies;

10) decide questions associated with holding runoffs and repeat elections for people's deputies;

11) send to the mandate commission of the corresponding Soviets of People's Deputies the documentation necessary for ascertaining the authority of the deputies for each electoral district; and,

12) exercise other authority in accordance with the given Law.

Rayon, city, urban rayon, settlement and village electoral commissions shall, along with the powers stipulated in part one of the given article:

1) organize the nomination of candidates for deputy;

2) register the candidate-deputy nominees and their authorized representatives, and issue them the appropriate identification;

3) organize, in cooperation with the working collectives and social organizations, meetings of candidate deputies with the voters, both in the working collectives and at their place of residence;

4) approve the text of the ballots, by electoral district, and provide for the printing of ballots and supplying them to the commissions at the voting precincts; and,

5) obtain and publish in the press the election results by electoral district, and issue identification to the elected deputies.

#### **Article 23. Formation of District Electoral Commissions for Elections to the Oblast and Minsk City Soviet of People's Deputies**

A district electoral commission for elections to the Oblast and Minsk City Soviet of People's Deputies shall be formed in every electoral district of the corresponding Soviet of People's Deputies or its presidium, not later than 75 days prior to the elections; the commission shall consist of 9-13 members.

#### **Article 24. Authority of District Electoral Commissions**

On the territory of their electoral districts, district electoral commissions shall:

1) exercise control over execution of the given Law;

2) organize nomination of candidates for deputy;

3) register the candidate-deputy nominees and their authorized representatives, and issue them the appropriate identification;

4) convene and conduct district pre-election meetings;

5) organize, in cooperation with the working collectives and social organizations, meetings of candidate deputies with the voters, both in the working collectives and in their place of residence;

6) approve the text of the ballots by given electoral district, and provides for the printing of ballots and supplying them to the voting precinct commissions;

7) obtain and publish in the press the election results by electoral district, and issue identification to the elected deputies;

8) organize the holding of runoff and repeat elections;

9) monitor the compilation of voter lists and their presentation for general familiarization;

10) examine statements and complaints of improper actions of voting precinct commissions; and,

11) exercise other authority in accordance with the given Law.

#### **Article 25. Formation of Precinct Electoral Commissions**

Precinct electoral commissions for elections of people's deputies of local Soviets of People's Deputies of the Belorussian SSR shall be formed no later than 45 days prior to the election. The precinct commission shall consist of 5-19 members; when the situation requires, the size of the precinct electoral commission may be increased or decreased.

Precinct electoral commissions shall be approved by rayon, city (except for cities of rayon subordination), and urban rayon Soviets of People's Deputies or their presidiums.

#### **Article 26. Authority of Precinct Electoral Commissions**

Precinct electoral commissions shall:

1) compile voter lists for the precinct;

2) familiarize the voters with the voter lists, accept and examine allegations of incorrectness in the list, and decide the question of making appropriate changes to it;

3) inform the public of the day of election and the place for voting;

4) ensure the preparation of accommodations for voting and the ballot boxes;

5) organize voting in the voting precinct on election day;

6) count the ballots cast in the voting precinct;

7) examine statements and complaints on questions of preparations for the election and organization of voting, and take decisions on them; and,

8) Exercise other authority in accordance with the given Law.

#### **Article 27. Nomination of Representatives to Territorial, District and Precinct Electoral Commissions**

Territorial, district and precinct electoral commissions for election or people's deputies of local Soviets of People's Deputies of the Belorussian SSR shall be made

up of representatives of working collectives, student and pupil collectives, social organizations, voters' meetings at places of residence, and military servicemen at their military units.

Representatives to the electoral commissions shall be nominated by meetings of working collectives or by the soviets of working collectives, student and pupil collectives; by oblast, rayon, city, and urban-rayon organs of social organizations, or by their primary organizations; by organs of social territorial self-administration; and by voters' meetings at their place of residence, and military servicemen at their military units. For the purpose of shaping the working collectives and social organizations which nominate representatives to sit on the commission, the corresponding Soviets of People's Deputies may, when necessary, convene conferences of the authorized working collectives and social organizations of the electoral district.

#### **Article 28. Organization of the Work of Electoral Commissions**

The chairman, deputy chairman, and the secretary of oblast, rayon, city, urban rayon, settlement, village, district and precinct electoral commissions shall be chosen at the session of the corresponding commission.

An electoral commission session is considered valid, if no less than two-thirds the membership is present. Decisions of the commission are taken upon majority vote of the total membership of the commission, by means of open voting. Members of the commission who do not agree with its decision have the right to express their peculiar opinion, which shall be entered into the minutes in written form.

Decisions of electoral commissions taken within the bounds of their authority must be carried out by all state and social organs, and by enterprises, institutions and organizations.

Decisions and actions of electoral commissions may be appealed to a higher electoral commission and, in situations stipulated in the present Law, may also be taken to court.

A member of an electoral commission may, by its decision, be relieved of his production or official responsibilities for the period of preparation for and conduct of the elections; and the member shall continue to receive his average wages, at the expense of funds allocated for holding the elections.

#### **Article 29. Assistance to Electoral Commissions in the Execution of their Authority**

State and social organs; enterprises, institutions and organizations; and responsible officials are obligated to assist electoral commissions in the execution of their authority, and shall provide them the information and materials required to carry out their work.

On questions associated with preparations for and conduct of elections, electoral commissions have the right to appeal to state and social organs; to the administrators of enterprises, institutions and organizations; and to responsible officials, who shall be obliged to examine the question raised, and provide an answer to the electoral commission within no more than three days.

#### **V. Voter Lists**

##### **Article 30. Voter Lists and Procedure for Compiling Them**

Lists of voters for election of people's deputies of local Soviets of People's Deputies of the Belorussian SSR shall be drawn up for each voting precinct, and shall be signed by the chairman and the secretary of the precinct electoral commission. Members of the public may also be invited to take part in the work of drawing up the voter's lists.

Executive committees of city, rayon, urban rayon, settlement and village Soviets of People's Deputies shall support the count of voters and shall send the precinct electoral commissions information about the voters who live in the corresponding territory, in order that the voter's lists can be drawn up.

Lists of military servicemen-voters located in their military units, as well as members of the families of military servicemen and other voters, if they live in the rayons where the military units are situated, shall be drawn up on the basis of data presented by the commanders of the military units. Military servicemen who live outside the military units shall be included in the voter lists by place of residence on a common basis.

Lists of voters for voting precincts formed in sanatoria and rest homes, in hospitals and other in-patient institutions of healing, shall be drawn up on the basis of data presented by the administrators of the aforementioned institutions.

The surnames of voters shall be indicated on the voting list in an order convenient for the organization of voting.

##### **Article 31. Procedure for Including Citizens in the Voters' List**

Included on the voters' list are all citizens of the Belorussian SSR who shall have reached age 18 by election day, who are permanent or temporary residents, at the moment the list is compiled, of the territory of the given voting precinct, who have the right to take part in the voting.

A voter shall not be included in the voters' lists of other voting precincts.

##### **Article 32. Familiarizing the Citizens with Voters' Lists and the Right to Appeal Incorrect Entries in the Voters' List**

Voters' lists shall be presented for general familiarization 15 days prior to the elections; and in voting precincts

formed in sanatoria, rest homes, hospitals and other in-patient institutions of healing—two days prior to the elections.

Citizens shall be guaranteed the possibility of familiarizing themselves with the voters' list and the check the accuracy of its compilation in the facilities of the precinct electoral commission.

All citizen shall be offered the right to appeal improper inclusion or exclusion from the list, and also inaccuracies committed in listing information about a voter. A statement about inaccuracies in a list shall be examined by the precinct electoral commission, which is obliged, no later than a two-day period, and on the eve of and on election day—immediately, examine the declaration and make the necessary corrections to the list, or else provide the person making the declaration with a copy of the reasoning behind the decision for rejecting his declaration. This decision may be appealed not later than five days prior to the election, to the rayon (or city) people's court, which is obligated to examine the complaint within a three-day period. The decision of the rayon (or city) people's court shall be final. A correction to the voters' list in accordance with a court decision shall be made immediately by the precinct electoral commission.

#### **VI. Nomination and Registration of Candidates for People's Deputies of Local Soviets of People's Deputies of the Belorussian SSR**

##### **Article 33. Procedure for Nomination and Registration of Candidates for People's Deputies of Local Soviets of People's Deputies of the Belorussian SSR**

Nomination of candidates for people's deputies of local Soviets of People's Deputies of the Belorussian shall commence 70 days prior and shall end 40 days prior to the elections.

Nomination of candidates for deputy shall be accomplished at meetings (conferences) of working collectives at enterprises, institutions and organizations located on the territory of the corresponding Soviet.

Nomination of candidates for deputy from social organizations shall be accomplished by their oblast, rayon, city, and urban rayon organs at plenums of these organizations.

Voters' meetings shall be convened at their place of residence, for the purpose of nominating candidates for deputy, by the territorial (district) electoral commissions, along with the corresponding Soviets of People's Deputies or their presidiums, both upon their own initiative, and upon the initiative of the organs of social territorial self-administration. Proposals for holding voters' meetings at one's place of residence must be examined by the territorial (district) electoral commission along with the corresponding Soviet of People's Deputies or its presidium, within a three-day period. In case this proposal is accepted, the date, time and place for holding the meeting shall be established, and the

voters in the district shall be notified of this within three days. A proposal to hold a voters' meeting at their place of residence shall be rejected, if the organ of social territorial self-administration is not located on the territory of the given electoral district; and also if the initiative of this organ is not confirmed by the minutes of its meeting on this question. In case of rejection of the proposal on holding a voters' meeting at their place of residence, the organ of social territorial self-administration shall be handed a copy of the reasoning behind this decision. This decision can be appealed to the Central Electoral Commission, whose decision shall be final.

The meeting shall be sanctioned by law, if the following are present:

for elections to the oblast and Minsk City Soviets of People's Deputies—no fewer than 300 voters, who live in the district;

for elections to city (city of oblast subordination), rayon and urban rayon Soviets—no fewer than 200 voters, who live in the district;

for elections to a city (city of rayon subordination) Soviet—no fewer than 100 voters, who live in the district; and,

for elections to settlement and village Soviets—no fewer than 30 voters, who live in the district.

Meetings of military servicemen for nominating candidates for people's deputy shall be called by the command of the military units.

At the meetings, conditions shall be established for submitting an unlimited number of candidatures. Every participant at the meeting shall have the right to introduce proposals on candidates for deputy; to take part in their discussion; and to support the candidates offered, or introduce proposals for their withdrawal. A participant at the meeting may also bring up for discussion his own candidature for deputy. A working collective, an organ of a social organization, a voters' meeting at their place of residence, and meetings of military servicemen at their military unit, shall nominate only one candidate for deputy. The decision on nomination of a candidate for deputy shall be taken at the meeting, either by open vote or by secret ballot. The voting procedure shall be decided by the meeting.

A candidate shall be deemed the nominee, if more than half of those taking part in the meeting vote for him. A protocol shall be drawn up on the nomination of the candidate for deputy. The candidate shall be notified of the decision taken in not more than a two day period.

As a rule, citizens nominated as candidates for people's deputies of local Soviets of People's Deputies shall work in or live on the territory of the corresponding electoral district.

A citizen of the Belorussian SSR cannot be at the same time a people's deputy of more than two Soviets of People's Deputies.

#### **Article 34. The District Pre-Election Meeting**

In accordance with the Constitution of the Belorussian SSR, a district pre-election meeting may be held for the purpose of discussing, by electoral district, the candidates for local Soviets of People's Deputies of the Belorussian SSR, and for taking decisions on presenting the candidates for registration at the appropriate electoral commission. A meeting shall be convened: for elections to the oblast and the Minsk City Soviets—by the district electoral commissions; and for elections to the rayon, city, and urban rayon Soviets of People's Deputies—by the corresponding territorial electoral commission. It shall be conducted after the nomination of candidates for deputy is completed, and after their declarations of agreement to run for election in a given electoral district. If no more than three candidates are nominated per electoral district, no district pre-election meeting shall be held.

Participants in the district pre-election meeting shall be delegated by meetings of working collectives or the soviets of working collectives; by student and pupil collectives; by organs of social organizations; by voters' meetings at their place of residence; by military servicemen at their military units; and also by organs of social territorial self-administration, in equal numbers according to norms established by the territorial (district) electoral commission. The decision on nominating representatives delegated to the district pre-election meeting and a list shall be submitted to the territorial (district) electoral commission no later than two days prior to convening the meeting. Registration of participants in the district pre-electoral meeting shall be held prior to the start of the meeting, and shall be based on these documents. The meeting shall be considered valid if no less than two-thirds of the total number of delegated representatives takes part in it. No less than two-thirds of the participants in the meeting must be comprised of voters from the given electoral district.

Participants in the district pre-election meeting shall be presented on a timely basis a list of all candidates for deputy nominated for a given district, and basic information about them.

At the meeting, a candidate for deputy shall be given the opportunity to speak and outline the program of his future activity. Any participant in the meeting shall have the right to discuss the candidate deputies and offer his own suggestions about them.

Presented for registration shall be no fewer than two candidates for deputy who have garnered the most votes. The decision shall be taken by majority vote of the participants in the meeting, either by open or secret voting. The voting procedure shall be established by the meeting. A decision shall be considered adopted if more than half of the participants in the meeting shall have

voted for it. Results of discussion about candidates for deputy shall be reflected in the minutes of the meeting.

The decision of the meeting may be appealed to the Central Electoral Commission within a three-day period.

#### **Article 35. Registration of Candidates for People's Deputy of Local Soviets of People's Deputies of the Belorussian SSR**

Candidates for people's deputy of local Soviets of People's Deputies of the Belorussian SSR shall be registered by the appropriate territorial (district) electoral commission upon representation of working collectives, student and pupil collectives, organs of social organizations, voter meetings at their place of residence, military servicemen at their military units, who have nominated candidates for deputy; or by the district pre-election meeting, if it is held.

Registration of candidates for deputy shall begin 40 days before and shall end 30 days before the elections.

The decision on registration of candidates for deputy shall be taken upon presentation of the following documents: minutes of meetings or decisions of the appropriate organs of social organizations on nominating candidates for deputy for a given electoral district, and the minutes of the district pre-election meeting if one is held; and, statements from the candidates for deputy on their agreement to run for office for a given electoral district. Persons enumerated in Article 11 of the present Law, when nominated as candidates for deputy, shall indicate in their statements their intention to vacate the position they occupy in case they are elected as deputy, or shall inform of the withdrawal of their candidature. The electoral commission shall prepare a protocol on the registration of candidates for deputy, which together with the statements of the candidates for deputy shall be presented: for elections to the oblast and Minsk City Soviet of People's Deputy—to the district electoral commission; and for elections to rayon, city, urban rayon, settlement and village Soviets—to the appropriate territorial electoral commission.

The electoral commission shall register candidates for deputy, nominated in accordance with the requirements of the present Law. Refusal to register may be appealed within a three-day period to the Central Electoral Commission.

A candidate for deputy may at any one time run for election in only one electoral district for election to a given Soviet of People's Deputies. A candidate for deputy shall, within five days of the conclusion of the nominating period, inform the territorial (district) electoral commission of his agreement to run for election in an electoral district.

A candidate for deputy who has been registered in one electoral district may not present himself for registration at another electoral district, even in case of withdrawal of his candidature, where he had been registered at first.

A candidate for people's deputy may not be a member of the corresponding territorial, nor of the district or precinct electoral commission of that electoral district for which he has been nominated as a candidate for deputy. A person who has been nominated as a candidate for deputy and who sits on one of the aforementioned commissions, shall be considered relieved of his responsibilities on the commission from the moment of registration of his candidature for deputy.

Not later than the fourth day after registration of candidates for deputy, the electoral commission shall publish information in the press on the registration, listing the surname, first name and patronymic, year of birth, position occupied (occupation), and place of work and residence, of each candidate for deputy, or shall inform the public of this by other means.

**Article 36. Revoking a Decision on Nomination of Candidates for People's Deputy of Local Soviets of People's Deputies of the Belorussian SSR. Withdrawal of Candidature by a Candidate**

A working collective, a student and pupil collective, an organ of a social organization, a voter's meeting at their place of residence, and military servicemen in a military unit, who have nominated a candidate for people's deputy of local Soviets of People's Deputies of the Belorussian SSR, have the right at any time prior to the election, to revoke their decision on nomination of a candidate for deputy. A decision on this question shall be taken according to procedure stipulated for nominating candidates for deputy, and shall be presented to the appropriate electoral commission.

A candidate for deputy may withdraw his candidature at any time, having furnished a statement on this to the appropriate electoral commission.

**Article 37. Procedure for Nominating Candidates for People's Deputy of Local Soviets of People's Deputies of the Belorussian SSR in Place of Candidates who Leave Office**

In case of withdrawal of candidates for people's deputy of local Soviets of People's Deputies of the Belorussian SSR after the period for registration of candidates for deputy has ended, when there are no other candidates remaining in the district, the territorial (district) electoral commission shall appeal to the working collectives, student and pupil collectives, social organizations, voters' meetings at their place of residence and military servicemen at their military units, with a proposal to nominate new candidates for deputy. When a candidate for deputy withdraws less than 30 days prior to the elections, the election of a deputy from that electoral district shall be held within the two-month period following the general elections.

Nomination of candidates for deputy in place of candidates who leave office shall be conducted according to procedure established by the present Law.

**Article 38. The Ballot**

The ballot shall include in alphabetical order all the registered candidates for people's deputy of local Soviets of People's Deputies of the Belorussian SSR, indicating their surname, first name and patronymic; position occupied (occupation); and the place of work and dwelling of each candidate deputy. Ballots shall be printed in the languages used by the population of the electoral district.

**VII. Guarantees of Action of Candidates for People's Deputy of Local Soviets of People's Deputies of the Belorussian SSR**

**Article 39. The Right of Candidates for People's Deputy of Local Soviets of People's Deputies of the Belorussian SSR to Speak at Meetings, Make use of the Mass information Media, and Receive Information**

Candidates for people's deputy of local Soviets of People's Deputies of the Belorussian SSR, from the moment of their registration by electoral commissions, shall have equal rights to speak at pre-election and other meetings, conferences and sessions; in the press, and on TV and radio.

State and social organs; administrators of enterprises, institutions and organizations; and organs of popular social initiative are obliged to render assistance to candidates for people's deputy of local Soviets of People's Deputies of the Belorussian SSR in organizing meetings with the voters and members of social organizations, and in acquiring the necessary reference and informational materials.

**Article 40. Pre-Election Program of a Candidate for People's Deputy of Local Soviets of People's Deputies of the Belorussian SSR**

A candidate for people's deputy of local Soviets of People's Deputies of the Belorussian SSR shall outline the program of his future actions, reflecting the interests of the voters of the district. The program of a candidate for deputy shall contradict neither the Constitution of the USSR, nor the Constitution of the Belorussian SSR, nor Soviet law.

**Article 41. Authorized Representatives of Candidates for People's Deputy of Local Soviets of People's Deputies of the Belorussian SSR**

A candidate for people's deputy of local Soviets of People's Deputies of the Belorussian may have up to five authorized representatives, who shall help him conduct his election campaign, agitate for his election as deputy; and represent his interests in cooperation with state and social organs, voters, members of social organizations, and with the electoral commissions.

A candidate for deputy shall determine authorized representatives at his discretion, and shall provide information on them for registration at the territorial (district)

electoral commission. Upon registration of the authorized representatives, the electoral commission shall issue identification to them.

An authorized representative shall not be a member of the corresponding electoral commission.

#### **Article 42. Pre-Election Agitation**

Working collectives, student and pupil collectives, voters at their place of residence and social organizations, and military servicemen at their military units, who have nominated candidates for deputy, shall be granted the right of unhindered agitation for their candidates.

Electoral commissions shall render assistance to working collectives, voters at their place of residence and social organizations in granting furnished accommodations for gatherings and meetings, as well as the mass information media, for carrying out pre-election agitation.

Citizens of the Belorussian SSR, working collectives and social organizations shall be guaranteed the opportunity to freely and thoroughly discuss the political, business-like and personal qualities of the candidates for deputy; and they shall have the right to agitate for or against candidates, at meetings, in the press and on TV and radio.

Candidates for people's deputies shall hold meetings with their voters both at gatherings, and in other forms convenient for the voters. Gatherings of voters shall be organized by territorial (district) electoral commissions jointly with the corresponding Soviet of People's Deputies or its presidium, and social organizations.

The voters shall be notified on a timely basis of the time and place for holding gatherings and meetings. Working collectives and social organizations shall inform in advance the district electoral commission of meetings which they shall hold, and on voters' meetings and other pre-election measures.

Agitation shall not be permitted on election day.

#### **Article 43. Relieving a Candidate for People's Deputy of Local Soviets of People's Deputies of the Belorussian SSR and his Authorized Representative from Production or Official Duties in order to Participate in Pre-election Measures**

After registration, during the period of holding meetings with voters and speaking at pre-election gatherings and meetings, and on TV and radio, a candidate for people's deputy of local Soviets of People's Deputies of the Belorussian SSR shall be relieved, upon representation to the territorial (district) electoral commission, from carrying out his production or official obligations, while retaining his average wages, at the expense of the funds allocated for holding the elections.

An authorized representative, upon request of a candidate for people's deputy, may be relieved of his production or official obligations, while retaining his average wages, at the expense of funds allocated for holding the election.

#### **Article 44. The Right of a Candidate for People's Deputy of Local Soviets of People's Deputies of the Belorussian SSR to Free Passage**

After registration, a candidate for people's deputy of local Soviets of People's Deputies of the Belorussian SSR shall have the right to free passage on all kinds of passenger transport (except for taxis), within the limits of the corresponding electoral district. A candidate for people's deputy who lives outside the limits of the electoral district, shall enjoy the very same right for passage to the electoral district and back to his place of residence.

#### **Article 45. Immunity of a Candidate for People's Deputy of Local Soviets of People's Deputies of the Belorussian SSR**

A candidate for people's deputy of local Soviets of People's Deputies of the Belorussian SSR shall not be subject to criminal liability or arrest; nor shall he be subject to measures of administrative punishment imposed by judicial procedure, without the consent of the territorial (district) electoral commission.

### **VIII. Procedure for Voting and Tallying Votes**

#### **Article 46. Time and Place for Voting**

When holding elections for people's deputies of local Soviets of People's Deputies of the Belorussian SSR, voting shall be held on election day from 07:00 to 20:00 hours, local time. The precinct electoral commission shall inform the voters of the time and place for voting no later than ten days prior to the elections.

At voting precincts organized in military units, the precinct electoral commission may declare the voting concluded at any time, if all voters on the list have voted.

#### **Article 47. Organization of Voting**

Voting shall be conducted in specially-allocated accommodations, which must be furnished with a sufficient number of booths or rooms for secret balloting; places must be designated for handing out ballots, and ballot boxes must be set up. Ballot boxes shall be set up in such a manner that when approaching them, the voters must pass through the booths or rooms for secret balloting.

Responsibility for organizing the voting, guaranteeing the voters secrecy in expressing their will, furnishing the accommodations and maintaining the necessary order in them, shall lie with the precinct electoral commission.

On election day, before the voting starts, the ballot boxes shall be checked and sealed by the chairman of the

precinct electoral commission in the presence of all members of the commission.

Each voter shall vote personally, and voting on behalf of other persons is forbidden. Ballots shall be issued by the appropriate electoral commission on the basis of the voter's list of the voting precinct. A check mark shall be made on the voter's list to indicate issuance of a ballot.

In cases when individual voters because of their state of health or other reasons cannot come to the voting place, the precinct electoral commission shall upon their request authorize certain members of the commission to organize voting at the dwelling place of these voters.

#### **Article 48. Conducting the Voting**

Ballots shall be completed by the voters in the booth or room for secret balloting. When filling in the ballot, absolutely no one shall be present except the voter. A voter who is unable to fill in the ballot by himself has the right to invite into the booth or room another person, at his discretion, except for a member of the electoral commission.

During elections for people's deputies of local Soviets of People's Deputies of the Belorussian SSR, the voter shall cross out on the ballot the names of the candidates against whom he is voting.

The voter shall then drop the completed ballot into the ballot box.

#### **Article 49. Counting Votes at the Voting Precinct**

During elections of people's deputies of local Soviets of People's Deputies of the Belorussian SSR votes shall be counted at the voting precinct separately, by each electoral district, and for every candidate for deputy.

Ballot boxes shall be unsealed by the precinct electoral commission after the chairman of the commission has declared the voting has ended. Unsealing of ballot boxes before voting has ended is forbidden. Before the ballot boxes are unsealed, all unused ballots shall be tallied and canceled by the precinct electoral commission.

The precinct electoral commission shall determine, on the basis of the basic and supplementary lists, the total number of voters for the precinct and for each electoral district, as well as the number of voters who received ballots. On the basis of ballots found in the ballot boxes the commission shall establish for every electoral district (within the limits of a given voting precinct): the total number of voters who took part in the voting; the number of votes cast for, and the number of votes cast against every candidate for deputy; and the number of ballots declared invalid. Votes shall not be counted for those citizens' names written on the ballot by the voters.

Ballots not conforming to the established form shall be considered invalid. Should any doubts arise as to the

validity of a ballot, the question shall be decided by the precinct electoral commission by means of a vote.

The results of the vote tally shall be examined at a session of the precinct electoral commission and shall be entered in the minutes, drawn up separately for every electoral district. The minutes shall be signed by the chairman, deputy chairman, secretary and members of the commission, and shall be sent to the appropriate territorial (district) electoral commission.

#### **Article 50. Determining Election Results for the Electoral District**

On the basis of the minutes of precinct electoral commissions, the territorial (district) electoral commission shall determine: the total number of voters for the district; the number of voters who have received ballots; the number of voters taking part in the voting; the number of votes cast for, and the number of votes, cast against each candidate for deputy; and the number of ballots judged invalid.

The candidate for people's deputy of local Soviets of People's Deputies of the Belorussian SSR who receives more than half the votes cast at the election by voters who took part in the voting shall be considered elected.

An electoral commission may judge an election invalid owing to violations of the current Law committed during the election or when counting the votes.

Elections shall be considered invalid if less than half the voters entered on the voting list take part in it.

The results of elections for an electoral district shall be determined at a meeting of the corresponding territorial (district) electoral commission and shall be entered in the minutes. The minutes shall be signed by the chairman, the deputy chairman, the secretary, and the members of the commission. The district electoral commission shall send the minutes to the oblast and to the Minsk City Electoral Commission according to established procedure.

#### **IX. Procedure for Conducting and Publishing Results of Elections for People's Deputies of Local Soviets of People's Deputies of the Belorussian SSR**

##### **Article 51. Registration of People's Deputies of Local Soviets of People's Deputies of the Belorussian SSR**

The territorial electoral commission, on the basis of minutes of district and precinct electoral commissions, shall tally the results of elections for the corresponding Soviet of People's Deputies, and shall register the deputies elected for each electoral district.

The territorial electoral commission may judge an election invalid, if in the course of the election or when counting the votes, or when determining the results of the elections, violations of the present Law took place; and it may refuse to register a deputy.

**Article 52. Publication of the Results of Elections of People's Deputies of Local Soviets of People's Deputies of the Belorussian SSR**

Information on the results of elections and the list of people's deputies elected to oblast, rayon, city, urban rayon, settlement and village Soviets of People's Deputies of the corresponding electoral commissions shall be published in the press within a 15-day period, in alphabetical order, listing the surname, given name and patronymic, position occupied (occupation), party membership, place of work and residence of the deputy, and the electoral district from which he has been elected deputy. The report shall include the total number of citizens entered on the voter's lists, who took part in the election; the number of votes cast for, and the number of votes cast against each candidate; and the number of invalid ballots.

**Article 53. Identification and Badge of a People's Deputy of Local Soviets of People's Deputies of the Belorussian SSR**

The territorial (district) electoral commission, following publication in the press of the list of deputies it has registered, shall issue to each deputy elected in the district, credentials attesting to his election; for runoff elections and elections in place of a deputy who leaves office, following publication of information on election results by electoral district. After confirmation of a deputy's authority by the Soviet of People's Deputies, the credentials issued to him attesting to his election shall be replaced by credentials from the corresponding Soviet. The deputy shall also be issued a badge.

**X. Runoff Elections, Repeat Elections and Elections of People's Deputies of Local Soviets of People's Deputies of the Belorussian SSR in Place of Departed Deputies**

**Article 54. Runoff Elections**

If more than two candidates for people's deputy of local Soviets of People's Deputies of the Belorussian SSR run for office in a district, and none of them is elected, the territorial (district) electoral commission shall adopt a resolution on holding a runoff election in the district for the two candidates for deputy who received the greatest number of votes. The appropriate territorial (district) electoral commission shall inform the electoral district of this resolution. A runoff election shall be held in an electoral district within a two-week period, in observance of the requirements of the present Law.

A candidate for people's deputy of local Soviets of People's Deputies of the Belorussian SSR shall be considered elected, who in the runoff election receives the greatest number of votes of participating voters, with respect to the other candidates. If only one candidate is running for office in an electoral district, he shall be considered elected if more than half the voters taking part in the election vote for him.

**Article 55. Repeat Elections**

If no more than two candidates for people's deputy of local Soviets of People's Deputies of the Belorussian SSR ran for office in an electoral district, and neither of them were elected; or if the elections in an electoral district were declared inconclusive or invalid; or if a runoff election did not permit determining the winning deputy, the territorial (district) electoral commission shall authorize the precinct electoral commissions to hold repeat elections in the electoral district. At the same time it may take a decision on the need to hold elections by precinct electoral commissions with new membership. The voting shall take place in those same voting precincts, and in accordance with the lists of voters drawn up for conducting the general elections.

Repeat elections shall be held within a period of two weeks after the general elections. Formation of electoral commissions, registration of candidates for deputy and other measures shall be carried out in accordance with procedures established by the present Law. In case of holding repeat elections citizens of the Belorussian SSR who did not receive the required number of votes in the general election may not run again as candidates for people's deputy.

**Article 56. Holding Elections for People's Deputies of Local Soviets of People's Deputies of the Belorussian SSR in Place of Deputies who Leave Office**

In case a Soviet of People's Deputies declares the authority of certain deputies invalid, and also in cases of recall of a deputy or withdrawal of his authority prior to the expiration of his term of office for other reasons, new elections shall be held in the corresponding electoral districts within a three-month period from the time the deputy leaves office. The election shall be announced by the corresponding Soviet of People's Deputies or by its presidium no later than two months before the election, and shall be organized in accordance with the requirements of the present Law. At the same time, territorial (district) electoral commissions shall be formed 50 days prior to the election, and precinct commissions, one month prior; registration of candidates shall be completed one month prior to the election.

In case a deputy leaves office less than six months prior to expiration of the term of authority of a Soviet of People's Deputies, an election to replace the deputy who leaves office is not, as a rule, held.

**Article 57. Holding Elections for People's Deputies of Local Soviets of People's Deputies of the Belorussian SSR in Newly-Formed Administrative-Territorial Units**

Elections for people's deputies of local Soviets of People's Deputies of the Belorussian SSR in newly-formed administrative-territorial units shall be held in instances when the formation of a Soviet of People's Deputies is not possible in view of the lack of or the insufficient number of deputies elected to the Soviet for the territory which has become part of a newly-formed oblast, rayon, city, urban rayon, settlement or village Soviet.

Elections for people's deputies of an oblast Soviet of People's Deputies shall be announced by the Belorussian SSR Supreme Soviet, and for people's deputies of a

rayon, city, urban rayon, settlement or rural Soviet, by the superior Soviet of People's Deputies—not later than one month from the date of the formation of an administrative-territorial unit; and, they shall be conducted in accordance with procedure established by the present Law.

For elections of people's deputies of an oblast Soviet of People's Deputies, the oblast and district electoral commissions shall be confirmed by the Belorussian SSR Supreme Soviet Presidium.

All other organizational measures in accordance with the present Law shall be conducted by the superior Soviets of People's Deputies, or by their presidiums and executive committees.

### **Belorussian SSR Local Election Law Comparison 905A0010A**

[Editorial Report] Minsk SOVETSKAYA BELORUSSIYA in Russian on 7 November 1989 carries on pages 2 and 3 the "Law of the Belorussian Soviet Socialist Republic on Elections of People's Deputies to Local Soviets of People's Deputies of the Belorussian SSR." Comparison of this version with draft law carried in SOVETSKAYA BELORUSSIYA on 20 August 1989 reveals the following variations:

Page 2, Section I, Article 2, paragraph two, first sentence is omitted: "Each social group will be represented in the soviet";

Article 2, paragraph three substitutes "...people held in places of detention by court order or by authority of public prosecutor, as well as..." for "...people held in places of detention or under arrest, as well as...";

Article 2, paragraph four reads: "Citizens of other union republics within the territory of the Belorussian SSR will have the same election rights as citizens of the Belorussian SSR" (adding entire paragraph);

Article 6, paragraph one substitutes "...collectives of secondary specialized and higher academic institutions" for "...collectives of students and pupils...";

Article 7, paragraphs one, three, and four add words "...collectives of secondary specialized and higher academic institutions..." between "...labor collectives..." and "... social organizations...";

Article 7, paragraph five adds words "...and collectives of secondary specialized and higher academic institutions..." between "...labor collectives..." and "...will provide them with information...";

Article 8, paragraph one substitutes "...collectives of secondary specialized and higher academic institutions..." for "...collectives of students and pupils...";

Article 8, paragraph one omits words "...and district campaign assemblies...";

Article 8, paragraph two, first sentence adds words "...collectives of secondary specialized and higher academic institutions..." between "...labor collectives..." and "...social organizations...";

Article 9, paragraph one, first sentence substitutes "...collectives of secondary specialized and higher academic institutions..." for "...collectives of students and pupils...";

Article 12, paragraph one, second sentence is first sentence of paragraph two in August version, omitting second sentence: "The funds of enterprises, establishments, organizations, and citizens cannot be used for these purposes";

Article 12, paragraph two is end of paragraph one in August version;

Article 13, paragraph one, first sentence reads: "...or committing other violations..." (changing "any" to "other");

Article 13, paragraph one, second sentence substitutes "...false information discrediting candidates for deputy or publicly advising boycotting..." for "...false information about candidate for deputy and advising or urging boycotting...";

Section II, Article 15, paragraph seven substitutes "...from 15 to 30 electoral..." for "...from 20 to 30 electoral...";

Article 15, paragraph nine substitutes "...with an approximately equal number of voters..." for "...with an equal number of voters...";

Article 15, paragraphs ten and eleven are paragraphs eleven and ten in August version; paragraph ten substitutes "...no later than the 10th day after..." for "...no later than the 5th day after...";

Section III, Article 17, paragraph three omits sentence "Election sections in military units will be formed at the same time, or, in exceptional cases, no later than 5 days before the elections";

Section IV, Article 18, paragraph one substitutes "...Central Commission for Elections of People's Deputies to Local Soviets of People's Deputies of Belorussian SSR..." for "...Central Election Commission...";

Article 18, paragraph two substitutes "...Central Commission..." for "...Central Election Commission..." twice;

Article 19, title and paragraph one substitute "...Central Commission..." for "...Central Election Commission...";

Article 19, paragraph one substitutes "...in line with the proposals..." for "...with consideration for the proposals..." and adds "...with a view to the opinion of work crews..." between "...or their presidiums..." and "...and the appropriate agencies...";

Article 19 omits paragraph two in August version about 5-year term of commission;

Article 20 title and paragraph one substitute "...Central Commission..." for "...Central Election Commission...";

Article 21, paragraphs one and two are combination of first paragraph in August version;

Article 21, paragraph three substitutes "...no later than 85 days before..." for "...no later than 75 days before...";

Article 22, paragraph nine, point 8 substitutes "...report election results to oblast (or municipal) election commission; oblast and Minsk city election commissions will report to Central Commission..." for "...report election results to oblast election commission; oblast election commission will report to Central Election Commission...";

Article 24 title substitutes "...powers of district election commission..." for "...powers of district election commissions...";

Article 24, paragraph five, point 4 is same as paragraph six, point 5 in August version, omits point 4 in August version about district campaign assemblies;

Article 24, paragraph six, point 5 reads "5) arrange for the printing of posters with biographical data on candidates for deputy" (adding new paragraph);

Article 25 title substitutes "...commission..." for "...commissions...";

Article 26, paragraph four (point 3) reads: "...date of election, time, and place..." (adding "time");

Article 26, paragraph five (point 4) reads: "4) arranges for preparation of premises and ballot-boxes for voting" (changing word order);

Article 27, paragraphs one and two substitute "...collectives of secondary specialized and higher academic institutions..." for "...collectives of students and pupils...";

Article 27, paragraph two, first sentence substitutes "...organs of social territorial self-government by the population..." for "...organs of social territorial self-government"; second sentence adds "...collectives of secondary specialized and higher academic institutions..." after "...labor collectives..." twice;

Article 28, paragraph five reads: "By a decision of the election commission, some of its members can be..." (changing word order and changing member to plural);

Section VI, Article 33, paragraph two substitutes "...labor collectives, collectives of secondary specialized and higher academic institutions, and the servicemen of different military units within the territory..." for "...labor collectives of enterprises, establishments, and organizations within the territory...";

Article 33, paragraph three substitutes "...and municipal rayon organs, and nominations to city soviets in cities of rayon jurisdiction and in settlement and rural soviets of people's deputies will also be conducted at meetings of their primary organizations..." for "...and municipal rayon organs at plenums of these organizations...";

Article 33, paragraph four, first and second sentences substitute "...jointly with appropriate presidiums (or executive committees) of soviets of people's deputies..." for "...jointly with appropriate soviets of people's deputies or their presidiums..."; sixth and seventh sentences substitute "...This decision can be appealed to the appropriate election commission for elections of people's deputies to local soviets. The decision of the Central Commission will be final" for "...This decision can be appealed to the Central Election Commission, the decision of which will be final";

Page 3, Article 33, paragraph five substitutes "...neighborhood assembly..." for "...assembly...";

Article 33, paragraph seven substitutes "...at least 150 voters..." for "...at least 200 voters...";

Article 33, paragraph nine substitutes "...at least 20 voters..." for "...at least 30 voters...";

Article 33, paragraph 10 reads: "...military units and will be official if they are attended by at least 300 voters" (adding all words following "units");

Article 33, paragraph 11, first sentence reads: "...for the unlimited nomination and discussion of candidates..." (adding "and discussion");

Article 33, paragraph 12, first and second sentences read: "At a meeting (or conference), one candidate is nominated for deputy of the local soviet. Separate meetings can be held in shops, sections, brigades, and other production subdivisions" (replacing fourth sentence of earlier paragraph 11 but providing alternate translation); third and fourth sentences correspond to fifth and sixth sentences of earlier paragraph 11;

Articles 34 to 56 correspond to articles 35 to 57 in earlier version, omitting Article 34 (title and six paragraphs) about district campaign assemblies;

Article 34, paragraph one substitutes "...collectives of secondary specialized and higher academic institutions..." for "...collectives of students and pupils..."; paragraphs one and three omit reference to district campaign assembly;

Article 34, paragraph three, second sentence reads: "Any number of candidates for deputy can be registered" (adding new sentence); third and fourth sentences read: "...protocol. For elections to the oblast and Minsk city soviets of people's deputies, the district election commission will submit a protocol of registration to the appropriate territorial election commission" (omitting references to candidates' statements and elections to other soviets);

Article 34, paragraph five substitutes "...no later than 5 days after..." for "...during the 5 days after...";

Article 35, paragraph one, first sentence, and Article 36, paragraph one, first sentence substitute "...collectives of secondary specialized and higher academic institutions..." for "...collectives of students and pupils..."; Article 35, second sentence reads: "The candidate for deputy will be informed of the time of the meeting or session on the withdrawal of the nomination" (adding new sentence);

Article 37, paragraph one, second sentence substitutes "...printed in the language used by the majority of the population..." for "...printed in the languages used by the population...";

Section VII, Article 38, paragraph one, second sentence reads: "Violations of this right can be appealed to the appropriate territorial commission" (adding new sentence);

Article 38, paragraph two reads: "...obligated to arrange meetings with voters for candidates for people's deputy of local soviets of people's deputies of the Belorussian SSR, as well as to provide them with the necessary reference and informational materials" (providing alternate translation);

Article 39, title and paragraph one substitute "...soviet..." for "...soviets..."; paragraph one, first sentence reads: "...program of his future activity..." (omitting reference to interests of district voters);

Article 40, title substitutes "...soviet..." for "...soviets...";

Article 40, paragraph one substitutes "...up to three agents..." for "...up to five agents..."; paragraph ends: "...organs and voters, as well as in election commissions" (omitting reference to members of social organizations);

Article 41, paragraph one substitutes "...collectives of secondary specialized and higher academic institutions..." for "...collectives of students and pupils...";

Article 41, paragraphs two and three add "...collectives of secondary specialized and higher academic institutions..." after "...labor collectives...";

Article 41, paragraph four, second sentence substitutes "...jointly with presidiums (or executive committees of appropriate soviets and social organizations and with organs of social territorial self-government)" for "...jointly with the appropriate soviet of people's deputies or its presidium and social organizations";

Article 41, paragraph five adds "...collectives of secondary specialized and higher academic institutions..." after "...labor collectives..."; and adds "...organs of social territorial self-government..." after "...social organizations...";

Article 42, title and paragraph one substitute "...candidates..." for "...candidate..."; title substitutes "...agents..." for "...agent...";

Article 42, paragraph two reads: "The candidate for deputy cannot be sent on a long business trip or called up for military training without his consent" (adding new paragraph);

Article 43, title and first sentence of paragraph one substitute "...candidates..." for "...candidate...";

Section VIII, Article 45, paragraph two reads: "...military units, sanatoriums and rest homes, hospitals, and other in-patient treatment facilities, the center election..." (adding all words between "units" and "the center");

Article 46, paragraph three reads: "...voters list of the election center upon submission of an identification card or other proof of identity" (adding all words after "center");

Article 48, paragraph three, first sentence substitutes "...voters lists..." for "...basic and supplementary voters lists...";

Article 48, paragraph four, first sentence reads: "...unofficial ballots, as well as ballots on which the voter has left the names of more than one candidate" (adding phrase following comma);

Article 49, paragraph two reads: "...receiving more than half of the votes of voters casting a ballot..." (omitting words "in the election" and changing "over half" to "more than half");

Section X, Article 53, paragraph one, first sentence substitutes "...highest number of votes of voters who cast ballots" for "...highest number of votes";

Article 53, paragraph two, first sentence substitutes "...more than half of the votes of voters casting ballots" for "...the highest number of votes of voters casting ballots, in relation to other candidates"; second sentence omitted;

Article 54, paragraph one, first and second sentences substitutes "...district and center election commissions..." for "...center election commissions...";

Article 54, paragraph two omits second sentence;

Article 56, paragraph three substitutes "...territorial oblast and district election commissions..." for "...oblast and district election commissions...";

Adds signatures of Chairman of Belorussian SSR Supreme Soviet Presidium N. Dementey and Secretary of Belorussian SSR Supreme Soviet Presidium L. Syroyegina and date and place: 27 October 1989, Minsk.

## Georgian SSR

### Georgian SSR Law on Elections of People's Deputies for Local Soviets

90US0319A Tbilisi ZARYA VOSTOKA in Russian  
3 Dec 89 pp 1, 3-5

[“Law of the Georgian Soviet Socialist Republic on Election of Deputies of Local Soviets of People's Deputies of the Georgian SSR,” 18 November 1989]

#### [Text] I. General Provisions

##### Article 1. Fundamentals of Elections of Deputies of Local Soviets of People's Deputies of the Georgian SSR.

Elections of deputies of local Soviets of People's Deputies of the Georgian SSR shall be conducted by single-mandate election okrugs, on the basis of universal, equal and direct suffrage, with secret balloting.

Deputies of local Soviets of People's Deputies of the Georgian SSR shall be elected for a term of five years.

##### Article 2. Universal Suffrage

Elections of deputies of local Soviets of People's Deputies of the Georgian SSR shall be universal: the right to elect and be elected belongs to citizens of the Georgian SSR who have reached 18 years of age, regardless of their origin, social or property situation, political views, racial and national origin, gender, education, language, attitude toward religion, length of residence in a given locality and type and nature of employment.

A citizen of the Georgian SSR shall not be a deputy of more than two Soviets at one time.

Citizens who are psychiatric patients, judged to be incompetent by the court; persons located in places of incarceration; and also those located in places of forced treatment by decision of a court, shall not take part in the elections.

##### Article 3. Equal Suffrage

Elections of local Soviets of People's Deputies of the Georgian SSR shall be equal: in every election okrug, each voter shall have one vote; voters shall participate in elections on an equal basis.

##### Article 4. Direct Suffrage

Elections of deputies of local Soviets of People's Deputies of the Georgian SSR shall be direct: deputies shall be elected directly by the voters.

##### Article 5. Secret Balloting

Balloting at elections of deputies of local Soviets of People's Deputies of the Georgian SSR shall be secret: monitoring of the expression of the people's will shall not be allowed.

#### Article 6. Conduct of Elections by Election Commissions

Conduct of elections of deputies of local Soviets of People's Deputies of the Georgian SSR shall be provided by election commissions, which shall be formed of representatives of working collectives, social organizations and movements registered according to established procedure, collectives of secondary specialized and higher academic institutions, voters' assemblies at their place of residence and military servicemen at their military units.

#### Article 7. Glasnost in Preparation for and Conduct of Elections

Conduct of elections of deputies of local Soviets of People's Deputies of the Georgian SSR shall be provided by election commissions, which shall be formed of representatives elected by assemblies (conferences) of working collectives, organizations and movements, collectives of secondary specialized and higher educational institutions, voters' assemblies at their place of residence and military servicemen at their military units.

Election commissions shall inform the citizens of their work, of the formation of electoral okrugs and districts; of the composition, location and time of operation of election commissions; and of voters' lists. Election commissions shall bring to the public's attention information on the nomination of candidates for deputy, results of their registration, biographical data about the registered candidates for deputy, the results of voting for every candidate and the results of the election.

Representatives of working collectives, social organizations and movements, collectives of secondary specialized and higher educational institutions, voters at their place of residence, and military servicemen at their military units, authorized representatives of the candidates, and representatives of the press, television and radio shall have the right to attend sessions of the election commission and the right of access to the facilities for voting; and, on election day a representative of a candidate for deputy shall have the right of access to the election district from the moment the ballot box is sealed, until the tallying of the results of the voting is completed.

The authorization of the representatives must be verified by the appropriate document or by excerpts from the minutes of an assembly (conference) of working collectives, assemblies of social organizations and movements or sessions of their electoral organs, assemblies of the collectives of secondary specialized and higher educational institutions, voters' assemblies at their place of residence and military servicemen at their military units; and, for the representative of a candidate for deputy—by a statement from the candidate for deputy addressed to the district election commission. Excerpts from the minutes, as well as the statement from a candidate shall be sent to the appropriate election commission no later than three days prior to its session. Election commissions shall adopt a resolution within a 24-hour period. In

case of refusal, the election commission shall provide a written response in justification, which may be appealed to a higher election commission.

The mass information media shall illuminate the course of preparations for and conduct of elections of deputies of local Soviets of People's Deputies of the Georgian SSR; they shall be guaranteed unlimited access to all assemblies and sessions associated with the elections. Election commissions, state and social organizations, working collectives, and collectives of secondary specialized and higher educational institutions shall provide information to them, connected with the preparations for and conduct of the elections.

#### **Article 8. Participation of Citizens, Working Collectives, Social Organizations and Movements, Collectives of Secondary Specialized and Higher Educational Institutions in Preparations for and Conduct of Elections**

Citizens of the Georgian SSR shall participate in preparations for and conduct of elections of deputies of local Soviets of People's Deputies of the Georgian SSR—both through their working collectives, social organizations and movements, collectives of secondary specialized and higher educational institutions, voters' assemblies at their place of residence and military servicemen at their military units; and, directly.

Working collectives, social organizations and movements, and collectives of secondary specialized and higher educational institutions shall participate in preparations for and conduct of elections of deputies of local Soviets of People's Deputies, both through their representatives on the election commissions, and directly.

#### **Article 9. Right to Nominate Candidates for Deputy of Local Soviets of People's Deputies of the Georgian SSR**

The right to nominate candidates for deputies of local Soviets of People's Deputies of the Georgian SSR belongs to the working collectives, social organizations and movements, collectives of secondary specialized and higher educational institutions, voters' assemblies at their place of residence, and military servicemen at their military units.

#### **Article 10. Mandates of Electors of Deputies of Local Soviets of People's Deputies of the Georgian SSR**

The electors shall give their mandates to their deputies.

The procedure for introducing, summarizing, examining and organizing the fulfillment of the mandates are established by the Law of the Georgian SSR.

#### **Article 11. Incompatibility of the Status of Deputy of a Local Soviets of People's Deputies of the Georgian SSR with One's Official Position**

Persons who are members of executive committees of local Soviets of People's Deputies of the Georgian SSR, with the exception of the chairmen of these organs; chiefs of departments, administrations and other structural subunits of

executive committees of local Soviets of People's Deputies; and, judges and state arbitrators, shall not be at the same time deputies of the Soviet to which they are assigned or elected.

#### **Article 12. Expenses Associated with Conducting Elections. Material Support for Elections**

Expenses associated with preparations for and conduct of election of deputies of local Soviets shall be paid by the corresponding election commission from a single fund established at the expense of the state, enterprises, social and other organizations, and also by citizens' groups, for the purpose of ensuring equal conditions for every candidate for deputy.

Enterprises, institutions and organizations, and state and social organs shall place at the disposal of election commissions, the necessary accommodations and equipment for preparations for and conduct of the elections.

#### **Article 13. Liability for Violation of Election Laws**

Persons who prevent by means of force, deception, threat, bribery or other means, the free exercise of the right of a citizen of the Georgian SSR to elect and be elected a deputy of a local Soviet of People's Deputies of the Georgian SSR, or to carry on pre-election agitation; as well as members of election commissions and responsible officials of state and social organizations, who commit forgery of election documents, who knowingly provide an incorrect vote count, who violate the secrecy of voting or commit other violation of the present Law, shall bear liability established by law. Also liable to prosecution are persons who publish or spread by other means false information about candidates for deputy.

### **II. Procedure for Calling Elections of Deputies of Local Soviets of People's Deputies of the Georgian SSR and for Formation of Election Okrugs**

#### **Article 14. Calling Elections**

Elections of deputies of all local Soviets of People's Deputies of the Georgian SSR shall be held simultaneously and shall be called by the Georgian SSR Supreme Soviet not later than four months prior to the expiration of people's deputies' term of office.

Information on election day shall be published in the press.

#### **Article 15. Formation of Election Okrugs**

Election okrugs shall be formed for the election of deputies of local Soviets of People's Deputies of the Georgian SSR:

for the Soviets of People's Deputies of the South Ossetian Autonomous Oblast, up to 140 election okrugs;

for rayon Soviets of People's Deputies, from 45 to 75 okrugs;

for city Soviets of People's Deputies in cities of republic or oblast subordination, from 50 to 300 okrugs;

for city Soviets of People's Deputies in cities of rayon subordination, from 25-35 okrugs;

for urban rayon Soviets of People's Deputies, from 75 to 100 okrugs; and,

for settlement and village Soviets of People's Deputies, from 15 to 40 okrugs.

Within the limits of the norms established by the present article, and upon the proposal of the presidia of the corresponding Soviets of People's Deputies, the number of election okrugs for election to the Soviet of People's Deputies of the South Ossetian Autonomous Oblast, and to every rayon and city (cities of republic subordination) Soviet of People's Deputies, shall be determined by the Georgian SSR Supreme Soviet or its Presidium; and for elections to city (cities of rayon subordination), urban rayon, settlement and village Soviets—by the next higher Soviet of People's Deputies or its presidium.

Election okrugs shall be formed by the corresponding election commissions in consideration of the administrative-territorial division and other peculiarities of the territory, while observing on the whole the principle of an equal number of voters per election okrug.

As an exception, with the permission of the Georgian SSR Supreme Soviet, a lesser or greater number of Soviets may be formed than stipulated by the present article.

Lists of election okrugs, indicating their boundaries and number of voters shall be published by the corresponding election commissions not later than 15 days after the elections are called, and not later than three-and-a-half months prior to the elections.

### III. Election Districts

#### Article 16. Formation of Election Districts

The territory of rayons, cities and urban rayons shall be divided into election districts for the purpose of conducting the voting and counting votes in elections of deputies of local Soviets of People's Deputies of the Georgian SSR. Election districts shall also be formed in military units.

Election districts may be formed on the spot in hospitals and other in-patient medical institutions and also in places where citizens are found in hard-to-get-to regions; and, for ships at sea during election day, at the ship's port of registration.

#### Article 17. Procedure and Norms for Formation of Election Districts

Election districts shall be formed by rayon, city (except cities of rayon subordination) and urban rayon Soviets of People's Deputies or their presidia, in cooperation with the corresponding electoral commissions. For ships

at sea on election day, election districts shall be formed by the corresponding local Soviets of People's Deputies or their presidia at the ships' port of registry. For military units election districts shall be organized by the local Soviets of People's Deputies or their presidia upon representation of the commanders of military units or formations.

Election districts shall be formed not later than two months prior to the elections. For hard-to-access regions, or ships at sea on election day, election districts shall be formed in the very same period, and in exceptional situations, not later than five days prior to the elections.

Election districts shall be formed of no less than 20 and no more than 3,000 voters.

The corresponding local Soviet or its presidium shall inform the voters of the boundaries of each election district, and shall indicate the location of the district election commission and the polling place.

### IV. Election Commissions

#### Article 18. The Election Commission System

Election Commissions shall be established for the purpose of holding elections of deputies of local Soviets of People's Deputies of the Georgian SSR:

oblast (autonomous oblast), rayon, city, urban rayon, settlement and village election commissions; and, district election commissions.

#### Article 19. Formation of Oblast (Autonomous Oblast), Rayon, City, Urban Rayon, Settlement and Village Election Commissions

Oblast (autonomous oblast), rayon, city, urban rayon, settlement and village election commissions shall be formed and changes introduced to their make-up by the corresponding Soviets of People's Deputies or their presidia not later than the tenth day after the elections are called. The commissions shall consist of 7-21 members.

Representatives to the election commissions shall be nominated by the working collectives or their soviets and by oblast, rayon, city, and urban rayon organs of social organizations and movements, located on their territories; and if such organs are not formed, by the rayon, city, and urban rayon conferences of their primary organizations; and by collectives of secondary specialized and higher educational institutions, voters' assemblies at their place of residence, and military servicemen at their military units.

Voters' assemblies at their place of residence shall be considered valid, if no less than 50 voters take part in them. Assemblies of working collectives shall be valid if more than half the total membership of the collective take part. Conferences shall be valid if no less than two-thirds of the delegates of the corresponding organ

take part. In working collectives, assemblies (conferences) shall be convened by their soviets; and, by trade-union committees together with the administration, on their own initiative, or upon the demand of one-fifth of the members of the working collective. A representative shall be considered nominated, if more than half of those taking part in the assembly or the majority of the total membership of the corresponding election organ vote for him. Voters' assemblies at their place of residence shall be convened by the corresponding Soviets of People's Deputies or their presidia, upon their own initiative, or upon the initiative of the voters, with the support of not less than 20 voters from the corresponding election okrug.

The term of office of the oblast (autonomous oblast) rayon, city, urban rayon, settlement and village election commissions shall be five years.

**Article 20. Authority of Oblast (Autonomous Oblast), Rayon, City, Urban Rayon, Settlement and Village Election Commissions**

Oblast (autonomous oblast), rayon, city, urban rayon, settlement and village election commissions shall:

- 1) implement control over the execution of the present Law and shall ensure its uniform application on the territory of the corresponding Soviet of People's Deputies; and shall, when necessary, appeal to the Georgian SSR Supreme Soviet for interpretation of the present Law;
- 2) form election okrugs;
- 3) direct the activities of the district election commissions;
- 4) allocate monetary funds among the election commissions;
- 5) monitor the provision of election commissions with accommodations, transportation and communications, and shall examine other questions of material-technical support for the elections;
- 6) approve the text of the ballots for election of deputies of local Soviets of People's Deputies in accordance with the form established by the Georgian SSR Supreme Soviet or its Presidium, and shall provide for their preparation;
- 7) hear reports from the election commissions, executive committees of local Soviets, enterprises, institutions and organizations, as well as from the organs of social organizations, on questions connected with preparations for and conduct of the elections;
- 8) register candidates for deputy and publish information on the make-up of the registered candidates for people's deputies of the corresponding local Soviet;

9) receive from the district election commissions records of the results of the election of deputies of the corresponding local Soviet;

10) register the elected people's deputies of the corresponding local Soviet, sum up the results of the election for the oblast, rayon, city, urban rayon, settlement and village as a whole; and publish information in the press on the election results and the list of elected deputies.

11) send to the Mandate Commission of the corresponding local Soviet, the documentation necessary to verify the authority of the deputies;

12) organize the conduct of runoff elections and repeat elections, as well as the recall of a deputy;

13) call elections for deputies of the corresponding local Soviet in the place of a departed deputy and provide for holding the elections;

14) ensure the procedure for and period of preservation of election documents, established by the Georgian SSR Supreme Soviet;

15) examine statements and complaints on decisions and actions of election commission, and make the final decision on them; and,

16) exercise other authority in accordance with the present Law.

**Article 21. Formation of District Election Commissions**

District election commissions shall be formed by the corresponding Soviets of People's Deputies or their presidia.

District election commissions shall be formed no later than 45 days prior to the elections, and shall consist of 5-15 members. When necessary, the membership of the election commission may be increased or decreased.

Representatives for membership on district election commissions shall be nominated by the collectives or their soviets situated on their territory; or by oblast, rayon, city, and urban rayon organs of social organizations and movements; and if such organs have not been formed, by the rayon, city, and urban rayon conferences of their primary organizations; and by voters' assemblies at their place of residence and military servicemen at their military units.

For nomination of representatives for membership on election commissions in large working collectives (with total membership of no less than 500 persons), assemblies may be held by shop, section, shift, brigade and other subdivisions numbering no less than 50 people.

Assemblies at one's place of residence shall be valid if no less than 50 voters take part in them.

Voters' assemblies at their place of residence shall be convened by the corresponding Soviets of People's Deputies, or by the organ of public social initiative, upon its

own initiative or upon the demand of no less than 20 voters in the given election okrug.

#### **Article 22. Authority of District Election Commissions**

The district election commission shall:

- 1) compile the list of voters for the district; acquaint the citizens with the voters' list; accept and examine statements about inaccuracies in the voters' list and resolve questions of entering the appropriate changes to it;
- 2) compile a supplementary list on the basis of declarations from the voters;
- 3) register the authorized representatives of candidates for deputy and provide them the appropriate identification;
- 4) inform the public of the location of the district election commission and its hours of operation, and also of election day and the location of the polling place;
- 5) ensure preparation of the facilities and voting booths, and also preparation of ballot boxes;
- 6) organize voting at the voting district on election day;
- 7) count the votes cast at the election district;
- 8) determine the results of the elections for the election okrugs;
- 9) examine statements and complaints on questions of preparations for the election and organization of voting at the election district, and make decisions on them; and,
- 10) exercise other authority in accordance with the present Law.

#### **Article 23. Organization of the Work of Election Commissions**

The chairman, deputy chairman and secretary of an election commission shall be elected at the first session of the corresponding commission.

An election commission session shall be valid if no less than two-thirds of the membership of the commission take part. Decisions of the commission shall be made by open vote of the majority of the total membership of the commission. Members of the commission who disagree with a decision shall have the right to express their own opinion, which shall be attached in written form to the minutes and sent to the higher election commission for examination.

Decisions of election commissions taken within the bounds of their authority are binding on all state and social organs, enterprises, institutions and organizations for execution. Decisions and actions of election commissions may be appealed to a higher election commission, and in cases stipulated in the present Law, may be brought to court as well.

A member of an election commission, including the chairman, deputy chairman and secretary, may with its permission be relieved from carrying out his production duties or official responsibilities for the period of preparations for and conduct of the elections, and shall retain his average wages at the expense of funds allocated for holding the elections.

Persons who become members of the election commission shall not have the right to take part in agitation for or against those candidates for deputy who are running for office in the corresponding election okrugs.

#### **Article 24. Assistance to Election Commission in the Execution of their Authority**

State and social organs, enterprises, institutions, organizations and responsible officials are obligated to assist the election commissions in the exercise of their authority, and shall provide them with the information and materials needed for their work.

On questions associated with preparations for and conduct of elections, an election commission shall have the right to appeal to state and social organs, enterprises, institutions, organizations, and responsible officials, who shall be obligated to examine the question posed and provide an answer to the election commission within a three-day period.

#### **Article 25. Procedure for Changing the Membership of Election Commissions**

Any member of an election commission may be relieved from execution of his responsibilities on the commission by the organ which formed that commission. This decision shall be taken on the basis of the personal declaration of the member of the commission, or by a representative of the working collective, social organization or movement, collective of secondary specialized and higher educational institution, voters' assembly at their place of residence and military servicemen at their military units, which nominated him.

When necessary, the nomination and approval of a new representative to the election commission shall proceed on the basis of the corresponding decision of the organ which formed the commission, according to procedure established by the present Law.

#### **V. The List of Voters**

#### **Article 26. The List of Voters and Procedure for Compilation**

A list of voters shall be compiled for every election district by the district election commission, and shall be signed by its chairman and secretary. The district election commission may invite representatives of the public to take part in the work of compiling the list.

Executive committees of city, rayon, urban rayon, settlement and village Soviets of People's Deputies shall provide a count of the voters, and shall send information

on the voters who live in the corresponding territory, necessary for compilation of the list of voters, to the district election commissions.

Lists of military servicemen at their military units and other voters who live in the areas of disposition of the military units shall be compiled on the basis of data presented by the commanders of the military units.

Lists of voters for election districts formed in hospitals and other in-patient medical institutions, as well as on ships at sea on election day, shall be compiled on the basis of data presented by the administrators of the aforementioned institutions and by the ships' captains.

The surnames of the voters shall be indicated on the list in an order convenient for organization of the voting.

#### **Article 27. Procedure for Including Citizens on the List of Voters**

The list of voters shall include all citizens of the Georgian SSR who have reached 18 years of age by election day, who at the time the list is drawn up dwell on the territory of the given election district, and have the right to participate in the election.

A voter cannot be included on the list of voters in other election districts.

#### **Article 28. Familiarization of Citizens with Lists of Voters and the Right to Complain of Inaccuracies in the List of Voters**

Lists of voters shall be presented for familiarization of the general public 15 days prior to the elections, and in election districts formed in hospitals and other in-patient medical institutions, two days prior to the elections.

Citizens shall be provided an opportunity to familiarize themselves with the lists of voters, and to check the accuracy of their compilation, on the premises of the district election commission.

Every citizen shall be afforded the right to complain of not being included, as well as being included incorrectly in the list or excluded from the list of voters, and also of other inaccuracies found in the list. Declarations of inaccuracies in the list shall be examined by the district election commission, which is obliged to examine the declaration within a two-day period—and on the eve of and on election day, immediately—and enter the necessary corrections to the list or provide the claimant with a copy of the justification of the decision to reject his declaration. This decision may be appealed to the rayon (city) people's court no later than five days prior to the election; the court is required to examine the complaint within a three-day period. The decision of the rayon (city) people's court is final. In conjunction with the court decision, the district election commission shall make corrections to the list of voters immediately.

#### **VI. Nomination and Registration of Candidates for Deputies of Local Soviets of People's Deputies of the Georgian SSR**

##### **Article 29. Procedure for Nominating Candidates for Deputies of Local Soviets of People's Deputies of the Georgian SSR**

Nomination of candidates for deputies of local Soviets of People's Deputies of the Georgian SSR shall begin three months prior and end 45 days prior to the elections.

Candidates for deputy of local Soviets shall be nominated by an assembly (conference) of the working collectives, or their subdivisions, situated on their territory. Assemblies or conferences shall be convened by Soviets of working collectives, trade union committees or administration, upon their own initiative or upon the demand of one-third the members of the collective. An assembly shall be valid if the majority of the members of the working collective participate; a conference shall be valid if no less than two-thirds of the delegates participate. A working collective shall have the right to nominate one candidate for deputy for the okrug in which it is located.

For social organizations and movements, candidates for deputy at oblast, city, and rayon soviets shall be nominated, accordingly, by their oblast, city and rayon organs; and if such organs have not been established, by the oblast, city, and rayon conferences of the oblast, city and rayon primary organizations; candidates for deputy from settlement and village soviets shall be nominated by their primary organizations. They shall have the right to nominate one candidate for deputy for every election okrug, organized on the territory of the corresponding Soviet.,

Soviets of People's Deputies or their presidia shall convene voters' assemblies at their place of residence for the purpose of nominating candidates for deputy, jointly with the corresponding election commissions—either upon their own initiative, or upon the initiative of the organs of public social initiative, or upon the demand of no less than 20 voters of the given election district. An assembly shall be valid if no less than 50 voters participate.

Assemblies of military servicemen for the purpose of nominating candidates for people's deputies shall be convened by the command of the military unit.

Nomination of candidates for deputy of settlement and village Soviets shall also take place at assemblies or citizens' gatherings at their place of residence.

Candidates nominated for deputy shall be citizens of the Georgian SSR who work or live on the territory of the corresponding election okrug. A candidate for deputy may be registered and may run for office in only one election okrug at a time.

Conditions shall be established at assemblies (or conferences) for nomination of an unlimited number of candidatures, and for the free discussion thereof. Every participant at an assembly (conference) shall have the right to introduce proposals concerning candidates for deputy, take part in the discussion, and support the candidatures proposed or introduce proposals for their withdrawal. A participant in an assembly (conference) may also propose his own candidature for discussion.

A resolution on nominating a candidate for deputy shall be made at an assembly (conference) by open or secret voting. The voting procedure shall be established by the assembly.

A candidate shall be considered nominated if more than half of those participating in the assembly vote for him, or the majority of the total membership of the corresponding organ of a social organization; whereas, every participant in the assembly or session has the right to vote for only one candidate.

A record shall be drawn up on the nomination of a candidate for deputy. The record shall indicate the name of the organ which nominated the candidate for deputy, the place and time of holding the assembly (session, conference), the number of members of the collective (organ), the number of participants in the assembly (conference), the number of votes cast for the candidate for deputy; and the surname, first name and patronymic; year, month and date of birth; position (occupation), place of work and residence.

The candidate for deputy shall be informed of the decision taken in not more than three days.

#### **Article 30. Registration of Candidates for Deputy of Local Soviets of People's Deputies of the Georgian SSR**

Registration of candidates for deputy of oblast, rayon, city, urban rayon, settlement and village Soviets shall be accomplished by the corresponding oblast, rayon city, urban rayon, settlement and village election commissions.

Registration of candidates for deputy shall begin 45 days prior, and end 30 days prior to the elections.

The decision to register candidates for deputy shall be taken with the following documents on hand: the minutes of the assembly (conference, session) on nominating candidates for deputy for a given election okrug; and, declarations from the candidates for deputy agreeing to run for office in the given election okrug.

Persons enumerated in Article 12 of the present Law, when nominated as candidates for deputy, shall indicate in their declaration their intent to vacate the position they occupy in the event they are elected deputy, or else shall inform of the withdrawal of their candidature. In accordance with part two of Article 2 of the present Law, candidates for deputy, when nominated, shall indicate in their declarations the Soviet at which they intend to resign their deputy position, in the event they are elected

deputy. The corresponding election commission shall produce a record on the registration of candidates for deputy, which together with the declarations of candidates for deputy on their agreement to run for office in a given election okrug, shall be presented to the higher election commission.

All candidates for deputy nominated in accordance with the requirements of the present Law must be registered. Refusal to register a candidate may be appealed to the corresponding election commission, Soviet of People's Deputies, or its presidium, within a three-day period.

A candidate for deputy may not sit on the corresponding oblast, rayon, city, urban rayon, settlement or village election commission, nor on the district election commission of the election okrug for which he has been nominated as a candidate for deputy. A person nominated as a candidate for deputy who sits on one of the aforementioned commissions, shall be considered relieved of his responsibilities on the commission from the moment of registry of his candidature for deputy.

Not later than the fourth day after registration of candidates for deputy, the election commission shall publish in the press a report on the registration, indicating the surname, first name, patronymic, year of birth, position occupied (occupation), place of work and residence of the registered candidates.

Every registered candidate for deputy of a local Soviet of the Georgian SSR shall be given identification.

#### **Article 31. Revocation of Decision on Nomination of a Candidate for Deputy of a Local Soviet of People's Deputies of the Georgian SSR. Withdrawal of Candidature by a Candidate for Deputy**

The working collective, organ of a social organization or movement, collective of secondary specialized and higher educational institutions, voters' assemblies at their place of residence, and military servicemen at their military units which nominated a candidate for deputy of a local Soviet of People's Deputies of the Georgian SSR shall have the right to revoke their decision on nomination of a candidate for deputy at any time prior to the elections. The decision on this question shall be taken according to procedure stipulated for nominating candidates for deputy, and shall be presented to the corresponding election commission.

A candidate for deputy may, at any time prior to the election, withdraw his own candidature, and shall address a statement on this to the appropriate election commission.

#### **Article 32. Procedure for Nominating Candidates for Deputy of a Local Soviet in the Place of Departed Deputies**

In case of the departure of candidates for deputy after the period of registration for candidate deputies has expired, and there is no other candidate left in the election okrug, the corresponding election commission

shall publicly appeal to the organizations and to the electors who have the right to nominate a candidate, with a proposal to nominate new candidates for deputy. If candidates for deputy depart less than one month prior to the elections, the election of a deputy for the corresponding election okrug shall be held in a two-month period after the general elections are held.

Nomination of candidates for deputy in the place of departed deputies shall be conducted according to procedure stipulated in the present Law.

#### **Article 33. The Ballot**

The ballot shall include, in alphabetical order, all registered candidates for deputy of local Soviets. The ballot must show the surname, first name and patronymic, position occupied (occupation), place of work and residence of every candidate for deputy.

Ballots shall be printed in the Georgian language and in the languages of the population of the election okrug.

### **VII. Guarantees of Actions of Candidates for Deputy of Local Soviets of People's Deputies of the Georgian SSR**

#### **Article 34. The Right of Candidates for Deputy of Local Soviets of People's Deputies of the Georgian SSR to Speak at Assemblies, Use the Mass Information Media, and Receive Information**

Candidates for deputy of local Soviets of People's Deputies of the Georgian SSR shall participate in the pre-election campaign on an equal basis from the moment of their nomination.

Candidates for deputy shall have the right to speak at assemblies, meetings, gatherings and sessions; and in the press and on TV and radio.

State and social organs; administrators of enterprises, institutions and organs; and organs of public social initiative shall be obliged to render assistance to the candidates for deputy in organizing meetings with the voters, and in receiving the necessary reference and information materials.

#### **Article 35. The Pre-Election Program of a Candidate for Deputy of a Local Soviet of People's Deputies of the Georgian SSR**

A candidate for deputy of a local Soviet of People's Deputies of the Georgian SSR shall have the right to publicly present the program of his future activity. The program of a candidate for deputy must not contain war propaganda, appeals to forcefully change or overthrow the state system fixed in the USSR Constitution and the Georgian SSR Constitution, nor appeals to national hatred and enmity, nor infringements upon the citizens' constitutional rights.

#### **Article 36. Authorized Representatives of Candidates for Deputy of Local Soviets of People's Deputies of the Georgian SSR**

A candidate for deputy of a local Soviet of People's Deputies may have up to five authorized persons to help him conduct his election campaign and agitate in favor of his election as a deputy; and represent his interests in interactions with state and social organs, voters, and election commissions as well. Candidates for deputy select their authorized representatives themselves and inform the corresponding election commission of this. After registration of the authorized representatives, the election commission shall issue them identification.

A candidate for deputy may at any time before the election withdraw the authority of his authorized representative, having informed the okrug election commission of this. An authorized representative may resign at any time before the election. And, an authorized representative may at the request of the candidate for deputy, be relieved from performing his production duties or official responsibilities for the duration of the election campaign; he shall retain his average wages at the expense of funds allocated for holding the elections.

An authorized representative may not sit on the corresponding election commission.

#### **Article 37. Pre-Election Agitation**

Citizens of the Georgian SSR, working collectives, social organizations and movements, collectives of secondary specialized and higher educational institutions, voters' assemblies at their place of residence and military servicemen at their military units shall be guaranteed the opportunity for free and thorough examination of the political, business and personal qualities of candidates for deputy; and the right to agitate for or against a candidate at assemblies and meetings, and in the press and on TV and radio.

Working collectives, social organizations and movements collectives of secondary specialized and higher educational institutions, voters' assemblies at their place of residence, and military servicemen at their military units who have nominated candidates for deputy, and their authorized representatives shall be given the right of unhindered agitation for their candidates. Election commissions shall furnish them equipment and facilities for assemblies and meetings.

Candidates for deputy shall hold meetings with their electors at assemblies and in other forms convenient for the electors. The election commission shall, in conjunction with the corresponding Soviet of People's Deputies or its presidium, social organizations and movements, assist in setting up such meetings. Voters shall be informed of the time and place of assemblies and meetings on a timely basis.

Agitation shall not be permitted on election day.

**Article 38. Relief of a Candidate for Deputy of Local Soviets of People's Deputies of the Georgian SSR from Production Duties or Official Obligations in order to Participate in Pre-Election Measures**

A candidate for deputy of a local Soviet of People's Deputies of the Georgian SSR shall, after registration and during the time of holding meetings with the electors, speech-making at pre-election assemblies and meetings, and on TV and radio, be relieved of production duties or official obligations, and shall retain his average wages at the expense of funds allocated for holding elections.

**Article 39. The Right of a Candidate for Deputy of a Local Soviet of People's Deputies of the Georgian SSR to Free Travel**

A candidate for deputy of a local Soviet of People's Deputies of the Georgian SSR shall, after registration, have the right to free travel on all means of passenger transportation (except taxis), within the boundaries of the territory of the corresponding Soviet.

**Article 40. Inviolability of a Candidate for Deputy of a Local Soviet of People's Deputies of the Georgian SSR**

A candidate for deputy of a local Soviet of People's Deputies of the Georgian SSR cannot be brought to criminal liability, arrested or subjected to measures of administrative penalty imposed by court procedure, without the consent of the corresponding oblast, rayon, city, urban rayon, settlement or village election commission.

**VIII. Procedure for Voting and Tallying Election Results****Article 41. Time and Place for Voting**

For elections of deputies of local Soviets of People's Deputies, voting shall take place on election day from 07:00 to 20:00 hours, local time. The district election commission shall inform the voters of the time and place for voting not later than ten days prior to the elections.

In election districts organized in hospitals and other in-patient medical institutions, on ships at sea on election day, in military units and in hard-to-access regions, the district election commission may declare the voting concluded at any time, if all voters included on the list have voted.

**Article 42. Organization of Voting**

Voting shall take place in specially-designated accommodations, which must be furnished with a sufficient number of booths or rooms for secret voting; locations shall be established for handing out ballots and for the ballot boxes. Ballot boxes shall be situated in such a manner that the voters must pass through the booths or rooms for secret balloting when approaching them.

Before voting commences on election day, ballot boxes shall be inspected and sealed or locked by the chairman of the district election commission, in the presence of all members of the commission.

Every elector shall vote personally. Voting on behalf of other persons shall not be permitted. The district election commission shall hand out ballots on the basis of the voters' list for the election district, upon presentation of a voter's passport or other document which establishes his identity.

Voters who were accidentally omitted from the voters' list, shall be entered on the supplementary voters' list on the basis of personal identification and documentary evidence of their place of residence.

In a situation in which certain voters, who because of their state of health or other reasons cannot be present at the polling place, the district election commission may upon their request authorize certain members of the commission to organize voting at the location of these voters, on the basis of an attachment to the voters' list, of which an appropriate mark shall be made on the voters' list. In such situations, no less than two members of the commission shall participate in organizing the voting. One portable ballot box shall be used for voting in this manner.

The section election commission shall bear responsibility for organizing the voting, ensuring the secrecy of the expression of the voters' will, furnishing the accommodations and maintaining the necessary order in them.

**Article 43. Conduct of Voting**

Ballots shall be completed by the voters in a booth or a room for secret voting. When the ballot is being completed, absolutely no one else shall be present except the voter. A voter who is incapable of completing the ballot himself shall have the right to invite another person into the voting booth or room for secret voting at his discretion, except for a member of the election commission, or authorized representative of a candidate for deputy.

In voting for deputies of local Soviets, the voter shall cross out on the ballot the surname of the candidates against whom he is voting.

The voter shall cast the ballot into the ballot box.

**Article 44. Tallying Votes at an Election District**

The district election commission shall tally votes for the election district, separately for each election okrug and for every candidate for deputy.

District election commissions shall unseal ballot boxes after the commission chairman declares the voting concluded. It is forbidden to unseal ballot boxes prior to the conclusion of voting. Before unsealing the ballot boxes, the election commission shall count all unused ballots

and cancel them. After this, ballots cast in a ballot box outside the premises of the polling place shall be counted.

The district election commission shall establish, in accordance with the basic and supplementary voters' lists, the total number of voters for the district, and the number of voters who received ballots. Based on the ballots found in the ballot boxes, the district election commission shall establish the total number of voters taking part in the voting; the number of votes cast for, and the number of votes cast against each candidate for deputy; and number of ballots found to be invalid. Votes shall not be counted for names which a voter has written-in on the ballot.

Ballots which do not conform to the standard form, as well as ballots in which the name of more than one candidate remains after the voting, shall be considered invalid.

When doubts arise as to the validity of a ballot, the question shall be resolved by the district election commission by means of a vote.

The results of the vote tally shall be examined at a session of the district election commission, and shall be entered in the minutes. The minutes shall be signed by the chairman, deputy chairman, secretary, and members of the commission, and shall be immediately dispatched to the corresponding election commission in accordance with procedure established by the oblast, rayon, city, urban rayon, settlement and village election commissions.

Candidates for deputy shall be considered elected, who received more than half of the votes of the electors taking part in the election in the corresponding election okrug.

#### **Article 45. Declaring Elections Invalid or Inconclusive**

The appropriate election commission may declare the election invalid for the election okrug, because of violations of the present Law which occurred in the course of the election, or in counting the votes.

Elections shall be deemed inconclusive in an election okrug, if less than half the voters of an okrug included on the voters' list take part in the election.

#### **Article 46. Registration of Deputies of a Local Soviet of People's Deputies of the Georgian SSR**

Oblast (autonomous oblast), rayon, city, urban rayon, settlement or village election commissions shall, on the basis of official records of election results for election okrugs, determine the total number of votes for deputies of the corresponding local Soviets, and shall conduct registration of deputies of a local Soviet of the Georgian SSR, elected for each election okrug.

An election commission may refuse to register a deputy and may declare the election invalid, if in the course of the election or while the votes were being counted or the

results totaled, it was determined that violations of the present Law had taken place.

#### **Article 47. Publication of Election Results**

A report on the election results shall be published by the corresponding election commission no later than the fifth day after the election.

The report shall indicate the total number of citizens included on the voters' list and the number of voters taking part in the election; the number of votes cast for and the number of votes cast against each candidate; the number of invalid ballots; and the number of okrugs in which repeat or runoff elections shall be held.

The list of elected deputies of local Soviets of People's Deputies of the Georgian SSR shall be published in alphabetical order, listing the surname, first name and patronymic, position occupied (occupation), party membership, place of work and residence of the deputy, and the election okrug.

### **IX. Runoff Elections, Repeat Elections, Elections of Deputies of Local Soviets of People's Deputies of the Georgian SSR in Place of Departed Deputies, and Elections in Newly-Formed Administrative-Territorial Units**

#### **Article 48. Runoff Elections**

If in an election okrug more than two candidates ran for the office of deputy of a local Soviet and none of them was elected, the corresponding election commission shall take a decision on holding a runoff election in the okrug for the two candidates for deputy who received the largest number of votes.

A runoff election shall be held in no later than a two-week period, observing the requirements of the present Law. A report on holding the runoff election shall be published in the press.

A candidate for deputy shall be considered elected, if he receives a larger number of votes than the other candidate.

#### **Article 49. Repeat Elections**

If for an election okrug no more than two candidates ran for the office of deputy of local Soviets, and neither of them was elected; or if a runoff election did not permit determining which was elected deputy; and also if elections in an election okrug were declared inconclusive or invalid, the corresponding election commission shall take a decision on holding repeat elections in the election okrug. At the same time it may take a decision on holding elections by district election commissions, with new membership.

Repeat elections shall be held in no later than a two-month period after the general elections. Voting shall take place in the very same election districts and according to the voters' lists compiled for the general

elections. Formation of election commissions, nomination and registration of candidates for deputy, and other measures shall be carried out according to procedure established by the present Law.

Information on holding repeat elections shall be published in the press.

**Article 50. Holding Elections for Deputies of Local Soviets of People's Deputies of the Georgian SSR in Place of Departed Deputies**

In case a local Soviet of People's Deputies declares the authority of certain deputies invalid; and also in case of recall of a deputy, or premature cessation of a deputy's authority for other reasons, new elections shall be held in the corresponding election okrugs within two months of the moment of the deputy's departure. Elections shall be called by the corresponding election commission not later than two months before they are held, and shall be conducted in accordance with the requirements of the present Law. At the same time, district election commissions shall be formed one month prior to the election.

In case of the departure of a deputy of a local Soviet less than six months prior to expiration of the term of office of deputies of a local Soviet, election of a deputy in place of the departed shall not be held.

**Article 51. Holding Elections of Deputies of Local Soviets of People's Deputies of the Georgian SSR in Newly-Formed Administrative-Territorial Units**

Elections of deputies of local Soviets of People's Deputies of the Georgian SSR in newly-formed administrative-territorial units shall be conducted in cases in which the formation of a local Soviet is impossible in view of the lack of or insufficiency of deputies elected to the Soviet on the territory becoming part of a newly-formed rayon, city, urban rayon, settlement or village.

Elections of deputies of rayon, city, urban rayon, settlement, and village Soviets shall be called by the higher Soviet of People's Deputies no later than two months from the day of formation of the administrative-territorial unit, and shall be held in accordance with procedure established by the present Law.

Voting may be concluded earlier than 20:00 hours local time, if all voters on the voters' list have voted.

**X. Attestation of Deputies. Forms of Election Documents and Procedure for Storing Them. Sample Ballot Box**

**Article 52. Attestation and Badge of a Deputy of a Local Soviet of People's Deputies of the Georgian SSR**

After publishing the lists of registered deputies, the corresponding election commission shall issue to each elected deputy, attestation of his election.

After affirming the authority of elected deputies, the attestation given them on their election as deputy shall

be exchanged for deputy identification. A deputy shall also be issued an appropriate badge.

**Article 53. Forms of Election Documents and a Model for a Ballot Box**

The forms of voters' lists, minutes of election commissions, forms and color of ballots; forms for attestation of a candidate for deputy and his authorized representative; attestation of election as a deputy and identification as a deputy; the model for the badge of a deputy, and the model for a ballot box, shall be established by the Georgian SSR Supreme Soviet Presidium.

**Article 54. Procedure and Period of Storage of Election Documents**

At the conclusion of their work, the office-work of district election commissions shall be transferred to the appropriate oblast, rayon, city, urban rayon, settlement and village election commissions.

The procedure and period of storage of the election documents shall be established by the Georgian SSR Supreme Soviet Presidium.

**Kazakh SSR**

**Kazakh SSR Draft Law on Elections of People's Deputies for Local Soviets**

*18300828A Alma-Ata KAZAKHSTANSKAYA PRAVDA  
in Russian 24 Aug 89 pp 1-3*

[“Draft Law of the Kazakh Soviet Socialist Republic on Elections of Deputies of Local Kazakh SSR Soviets of People's Deputies”]

**[Text] I. General Principles**

**Article 1. Principles of Elections of Deputies to Local Soviets of Kazakh SSR People's Deputies**

Elections of deputies to local soviets of Kazakh SSR people's deputies are held in single-mandate electoral districts on the basis of the universal, equal, and direct franchise with secret voting.

Elections of deputies of settlement, rural, and aul [mountain village] soviets of people's deputies can also be held without the formation of electoral districts on the territory of the corresponding soviet.

**Article 2. Universal Franchise**

Elections of deputies to local soviets are universal: all Kazakh SSR citizens who have reached the age of 18 years have the right to elect and to be elected.

Any and all direct or indirect limitations of the franchise of Kazakh SSR citizens depending on origin, social and property status, race or nationality, sex, education, language, attitude toward religion, period of time of residence in the particular locality, or type or nature of occupation are prohibited.

Citizens who are mentally ill, who have been deemed by the court to be incompetent, and persons who are maintained in places of incarceration, as well as those who have been sent on the basis of a court decision to places of forced treatment, do not participate in the elections.

### **Article 3. Equal Franchise**

The elections of deputies to the local soviets are equal: the voter has one vote for each electoral district; the voters participate in the election on an equal basis.

Women and men have equal franchises.

Military personnel enjoy the franchise on a par with all other citizens.

### **Article 4. Direct Franchise**

The elections of deputies to local soviets are direct: the deputies to oblast, rayon, city, city-rayon, settlement, rural, and aul soviets of people's deputies are elected directly by the citizens.

### **Article 5. Secret Voting**

The voting at an election of Kazakh SSR to local soviets is secret: no monitoring of the expression of the voters' will is allowed.

### **Article 6. Conducting of an Election by Electoral Commissions**

The conducting of an election of deputies to local soviets is provided by the electoral commissions which are formed from representatives of labor collectives, public organizations, and meetings of voters at their place of residence and military personnel in their military units.

### **Article 7. Publicity When Preparing and Conducting an Election of Deputies to Local Soviets**

The preparation and conducting of an election of deputies to local soviets are carried out by electoral commissions, labor collectives, and public organizations openly and publicly.

The electoral commissions inform the citizens about their work, about the formation of the electoral districts, the makeup, location, and work hours of the electoral commissions, the results of the registration of candidates for election as deputies, biographical data concerning the registered candidates, the results of the voting for each candidate, and the election results.

At sessions of the electoral commissions, including the process of registering the candidates for election as deputy, the sealing and opening of the ballot boxes during the voting, and the tallying of the votes at the electoral ward, the establishment of the election results, and the summing up of the overall election rights, the following individuals have a right to be present: representatives of labor collectives, public organizations, meetings of voters at their place of residence and of

military personnel at their military units, and agencies of state authority; the authorized representatives of the candidates for election as deputies; and representatives of the press, television, and radio. The powers of the indicated representatives are certified by the appropriate document or by a decision of the labor collective or meeting of voters at their place of residence or military personnel at their military units. The appropriate electoral commissions must be informed of the representatives' intention to be present on election day during the voting or at sessions of the electoral commissions no later than two days before the election. The interference of the indicated representatives in the work of the electoral commissions is not allowed.

The mass media throw light on the course of the preparation for and the conducting of the election of the deputies to the local soviets of people's deputies in Kazakh, Russian, and the other languages that are used by the population, and their representatives are guaranteed unhindered access to all meetings and sessions linked with the election. The electoral commissions, state and public agencies, and labor collectives provide them with the information linked with the preparation and conducting of the election.

### **Article 8. Participation of Citizens, Labor Collectives, and Public Organizations in the Preparation and Conducting of an Election of Deputies to Local Soviets**

Kazakh SSR citizens take part in the preparation and conducting of an election of deputies to local soviets both through their labor collectives, collectives of schoolchildren and students at higher and secondary special educational institutions, public organizations, and meetings of voters at their place of residence and military personnel at their military units, and also directly.

Labor collectives and public organizations participate in the preparation and conducting of an election both by way of their own representatives in the electoral commissions, and directly.

### **Article 9. Right to Nominate Candidates for Election as Deputies to Local Soviets**

The right to nominate candidates for election as deputies to local soviets belongs to labor collectives, collectives of schoolchildren and students at higher and secondary special educational institutions, public organizations, and meetings of voters at their place of residence and military personnel at their military units.

### **Article 10. Incompatibility of the Status of Deputy to a Local Soviet with the Person's Official Position**

Persons who are members of the executive committees of local soviets of people's deputies, with the exception of the chairmen of those agencies; the administrators of departments, administrations, and other subdivisions of the executive committees of local soviets, and their deputies; chairmen and members of people's courts;

chief state arbiters and oblast-level state arbiters cannot be deputies in the soviet to which they are appointed or elected.

#### **Article 11. Expenses Linked with the Election of Deputies to Local Soviets. Material Support of the Election**

The expenses linked with the preparation and conducting of an election of deputies to local soviets are made only at state expense.

Enterprises, institutions, and organizations, and state and public agencies, put at the disposal of the electoral commissions the facilities and equipment that are necessary for preparing and conducting the election.

Candidates for election as deputies to local soviets, their authorized representatives, and the voters do not bear the expenses linked with preparing and conducting the election.

#### **Article 12. Responsibility for Violating the Election Legislation**

Persons who hinder, by the use of violence, deception, threats, or other means, the free carrying out by a Kazakh SSR citizen of his right to elect or to be elected as a deputy to local soviet, or to carry out pre-election agitation, and electoral commission members or officials of state and public organizations who have forged election documents or deliberately miscounted the votes, who have violated the secrecy of the voting, or have committed other violations of this Law, bear the legally established responsibility. Persons who also brought to legal responsibility are those persons who have published or have otherwise spread false information about the candidate for election as deputy, or who have committed illegal actions that lower their dignity.

### **II. Procedure for Scheduling an Election and Forming Electoral Districts**

#### **Article 13. Scheduling of an Election of Deputies to Local Soviets**

An election of deputies to local soviets is conducted simultaneously and is scheduled by the Kazakh SSR Supreme Soviet no later than three months before the expiration of the term of office of the oblast, rayon, city, city-rayon, settlement, rural, and aul soviets of people's deputies.

An announcement of the election day is published in the press.

#### **Article 14. Formation of Electoral Districts**

Electoral districts are formed for the purpose of electing deputies to local soviets.

Electoral districts are formed:

—to an oblast soviet of people's deputies—as many as 150 electoral districts;

- to the Alma-Ata City Soviet of People's Deputies—as many as 200 electoral districts;
- to the Leninskiy City Soviet of People's Deputies—as many as 100 electoral districts;
- to a rayon soviet of people's deputies—as many as 75 electoral districts;
- to a soviet of people's deputies in cities of oblast subordination—as many as 100 electoral districts;
- to a soviet of people's deputies in cities of rayon subordination—as many as 50 electoral districts;
- to a city-rayon soviet of people's deputies—as many as 75 election districts;
- to a settlement, rural, or aul soviet of people's deputies—as many as 30 electoral districts.

Within the confines of the standards established by this article, the number of electoral districts for elections to an oblast, rayon, city, city-rayon, settlement, rural, or aul soviet of people's deputies is determined by the appropriate local soviet or its presidium.

Electoral districts are formed by the appropriate electoral commissions on the presentation of the soviets or their presidiums, with approximately the equal number of voters on the entire territory of the soviet and with a consideration of the administrative-territorial division.

Electoral districts can also not be formed for an election of deputies to settlement, rural, and aul soviets. Every settlement, rural, and aul soviet of people's deputies decides the question of the conducting of the election by electoral districts or on the entire territory of the soviet.

The lists of electoral districts with an indication of their boundaries, district centers, and the number of voters in them are published in the press by the appropriate oblast, rayon, city, city-rayon, settlement, rural, and aul electoral commission no later than two and a half months before the election.

### **III. Electoral wards**

#### **Article 15. Formation of Electoral Wards**

In order to conduct the voting and tally the votes in an election of deputies to local soviets, electoral wards are formed in rayons and cities.

Electoral wards are also formed in military units and become part of the electoral districts at the units' place of deployment.

In sanatoriums and rest homes, hospitals, and other in-patient therapeutic institutions, in the places where citizens are situated in remote and relatively inaccessible areas, and also on ships which are en route on election day, it is possible to form electoral wards that become part of the electoral districts, respectively, at their place of location or the ship's port of registry.

The question of including the electoral wards formed on ships which are en route on election day to the electoral wards for an election of deputies to local soviets is decided by the appropriate rayon, city, or city-rayon electoral commission at the ship's port of registry.

#### **Article 16. Procedure and Standard for Formation of Electoral Wards**

Electoral wards are formed by rayon, city (other than in cities of rayon subordination), and city-rayon soviets of people's deputies or their presidiums after coordination with the rayon, city, and city-rayon electoral commissions. On ships which are en route on election day, the electoral wards are formed by the appropriate soviets of people's deputies or their presidiums at the ship's port of registry. In military units, electoral wards are formed by the local soviets of people's deputies or their presidiums on the representation of the commanders of the units or military formations.

Electoral wards are formed no later than two months prior to the election. In military units, and also in remote and relatively inaccessible areas, and on ships which are en route on election day, the electoral wards are formed within the same time period, or, in exceptional instances, no later than five days prior to the election.

Electoral wards are formed with a number of no fewer than 20 and no more than 3000 voters.

The appropriate local soviet of people's deputies or its presidium informs the voters concerning the boundaries of each electoral ward, with an indication of the location of the ward's electoral commission and the facilities for the voting.

### **IV. Electoral Commissions**

#### **Article 17. System of Electoral Systems**

In order to conduct an election of deputies to local soviets, to recall them, and to conduct an election to fill vacancies left by deputies, the following electoral commissions are formed:

- oblast, rayon, city, city-rayon, settlement, rural, and aul electoral commissions for electing and recalling deputies;
- district electoral commissions for electing deputies of oblast, rayon, city, and city-rayon soviets of people's deputies;
- ward electoral commissions.

In electoral districts for elections to settlement, rural, and aul soviets of people's deputies, district electoral commissions are not formed. In these instances the functions of the district electoral commissions are carried out by the ward electoral commissions of those electoral wards of which the territory of the particular electoral districts is a part.

#### **Article 18. Formation of Oblast, Rayon, City, City-Rayon, Settlement, Rural, and Aul Electoral Commissions for Electing and Recalling Deputies to Local Soviets**

An oblast, rayon, city, city-rayon, settlement, rural, or aul electoral commission for electing and recalling deputies is formed by the appropriate soviet of people's deputies or its presidium no later than 80 days prior to the election, with a makeup of 7-15 commission members.

The representatives to make up the electoral commission are advanced by labor collectives or their councils, by oblast, rayon, city, and city-rayon agencies of public organizations, their primary organizations, and meetings of voters at their place of residence and military personnel at their military units.

In large-scale labor collectives, the nomination can be done by shops, sectors, shifts, or other subdivisions.

The term of office of the electoral commissions is five years.

#### **Article 19. Powers of the Oblast, Rayon, City, City-Rayon, Settlement, Rural, and Aul Electoral Commissions for Electing and Recalling Deputies to Local Soviets**

An oblast, rayon, city, city-rayon, settlement, rural, or aul electoral commission for electing and recalling deputies:

- 1) monitors the execution of this Law and guarantees its uniform application on the territory of the appropriate soviet;
- 2) guarantees the preparation and conducting of the election in strict conformity with this Law;
- 3) coordinates and directs the activity of the district and ward electoral commissions for elections to the appropriate soviet of people's deputies;
- 4) forms electoral districts for electing deputies to the appropriate local soviet of people's deputies and publishes their list; informs the voters about the location of the electoral commission and the voting facilities;
- 5) listens to reports given by the district and ward electoral commissions, executive and directive agencies of the local soviets, and administrators of enterprises, institutions, and organizations, as well as the agencies of public organizations, concerning questions linked with the preparation and conducting of the election;
- 6) monitors the guaranteeing of the equal rights of the candidates for election as deputies;
- 7) distributes the monetary funds among the electoral commissions; monitors the providing of the electoral commission with facilities, transportation, and communication; and considers other questions pertaining to providing the material and technical support of the election;

8) receives from the district electoral commissions the minutes concerning the registration of the candidates for election as deputies and publishes a report about the makeup of the registered candidates for election as deputies to the appropriate local soviet;

9) in conformity with the form established by the Presidium of Kazakh SSR Supreme Soviet, guarantees the manufacture of the ballots for electing deputies to the local soviets;

10) registers the deputies who have been elected to the appropriate soviet of people's deputies;

11) tallies up the results of the election and publishes in the press a list of the elected deputies;

12) conducts runoff voting, a runoff election, or an election to fill vacancies left by deputies; decides questions linked with the organizing of the recall of deputies to the local soviet;

13) reports to the first session of the soviet of people's deputies concerning the election results;

14) transmits to the credentials commission of the appropriate soviet of people's deputies the documentation necessary for verifying the powers of the deputies in each electoral district;

15) reviews the statements and complaints concerning the decisions and actions of the electoral commissions and makes the final decisions concerning them;

16) carries out other duties in conformity with this Law and other Laws of Kazakh SSR.

#### **Article 20. Formation of District Electoral Commissions**

The district electoral commission is formed by the appropriate soviet or its presidium no later than 70 days prior to the election.

The district electoral commissions for election to the oblast, Alma-Ata City, and Leninskiy City soviets of people's deputies are formed in a makeup of 7-13 commission members.

The district electoral commissions for elections to a rayon, city, or city-rayon soviet of people's deputies are formed in a makeup of 7-11 commission members.

The representatives to make up the district electoral commission are nominated by labor collectives or their councils, by oblast, rayon, city, and city-rayon agencies of public organizations, primary organizations, citizens' public-action agencies, and meetings of voters at their place of residence or of military personnel at their military units. In large-scale labor collectives, the nomination can be done by shops, sectors, shifts, or other subdivisions.

The term of office of the district electoral commissions ends after the recognition by the appropriate local soviet of the powers of the elected deputies.

#### **Article 21. Powers of the District Electoral Commissions**

The district electoral commission:

1) monitors the execution of this Law on the territory of the electoral district;

2) directs the activities of the ward electoral commissions;

3) assists in organizing the nomination of candidates for election as deputies;

4) registers the nominated candidates for election as deputies and their authorized representatives; issues the appropriate identification document to them; and publishes in the press information on the registered candidates for election as deputies;

5) guarantees equal conditions for the candidates for election as deputies;

6) listens to reports by the ward electoral commissions, the executive and directive agencies of the local soviets, and the administrators of enterprises, institutions, and organizations, as well as agencies of public organizations, with regard to questions linked with the preparation and conducting of the election;

7) organizes, jointly with the labor collectives and public organizations, meetings between the candidates for election as deputies and the voters in labor collectives and at the public's place of residence;

8) guarantees the publication of posters with biographical information about the candidates for election as deputies;

9) approves the text of the ballot for the electoral district; guarantees the manufacture of the ballots and the supplying of them to the ward electoral commissions;

10) decides questions of the participation of representatives of labor collectives and public organizations in the work of the electoral commissions;

11) establishes the election results for the electoral district; issues an identification document to the elected deputy;

12) organizes the conducting of a runoff vote and of a runoff election, as well as an election of deputies to fill vacancies that have been created;

13) organizes the work linked with the recalling of a deputy;

14) reviews the statements and complaints concerning the decisions and actions of the ward electoral commissions and makes decisions pertaining to them;

15) carries out other duties in conformity with this Law.

### **Article 22. Formation of Ward Electoral Commissions**

A ward electoral commission is formed no later than 45 days prior to the election, in a makeup of 5-19 members.

Representatives to make up the ward electoral commissions are nominated by labor collectives or their councils, rayon, city, and city-rayon agencies of public organizations, their primary organizations, public-action agencies, and meetings of voters at their place of residence and of military personnel at their military units. In large-scale labor collectives the nominations can be made by shops, sectors, shifts, or other subdivisions.

The ward electoral commissions are formed by rayon, city (other than in cities of rayon subordination), and city-rayon soviets of people's deputies or their presidiums.

The term of office of the ward electoral commissions ends simultaneously with the end of the term of office of the district electoral commissions.

### **Article 23. Powers of the Ward Electoral Commission**

The ward electoral commission:

- 1) prepares the voter list for the ward;
- 2) familiarizes the voters with the voter list; accepts and reviews statements concerning inaccuracies in the list; and decides the question of making the appropriate changes in it;
- 3) informs the voters about the registered candidates for election as deputies, the day of the election, and the voting place;
- 4) guarantees the preparation of the facilities and the manufacture of the voting booths and ballot boxes;
- 5) organizes in the electoral ward the voting on election day;
- 6) tallies the votes cast in the electoral ward;
- 7) reviews the statements and complaints concerning questions of the preparation of the election and the organizing of the voting, and makes decisions concerning them;
- 8) carries out other duties in conformity with this Law.

### **Article 24. Organizing the Work of the Electoral Commissions**

The chairman, deputy chairman, and secretary of the electoral commission are elected at the first session of the appropriate commission.

The decision to form an electoral commission and the electoral commission's resolution concerning the election of its administrators are made known to the voters.

Sessions of the electoral commission are valid if no less than two-thirds of the commission makeup take part in them. The commission's decision are made by open

voting, by a majority of the votes from the commission's total makeup. Commission members who do not agree with its decision have the right to express a special opinion which, in written form, is appended to the minutes of the electoral commission's session.

Decisions of electoral commissions which are made within the confines of their powers are mandatory for execution by all state and public agencies, enterprises, institutions, and organizations.

The decisions and actions of an electoral commission can be appealed to a superior electoral commission, and, in the instances stipulated by this Law, also to court.

One of the members of the electoral commission, with the exception of district electoral commissions, including the chairman, deputy, and secretary, on the basis of a commission decision, can be released for the period of preparation and conducting the election, for a period of one month, from the fulfillment of his production or official duties, with retention of his average earnings, payable from the funds allocated for conducting the election.

If necessary, changes can be made in the commission makeup by the agency that formed it.

### **Article 25. Assisting the Electoral Commissions in Carrying out Their Duties**

State and public agencies, enterprises, institutions, organizations, and officials are required to assist the electoral commissions in carrying out their duties, and must provide them with the information and materials needed for their work.

An electoral commission has the right, with regard to questions linked with the preparation and conducting of an election, to get in contact with state and public agencies and enterprises, institutions, organizations, and officials who are required to review the question that has been raised and to reply to the electoral commission within three days.

### **V. Voter Lists**

#### **Article 26. Voter List and Procedure for Preparing It**

A voter list is prepared for each electoral ward and is signed by the chairman and secretary of the ward electoral commission. To allow them to participate in the work of preparing the list, the ward electoral commission can invite representatives of labor collectives and the public.

The executive committees of city, city-rayon, settlement, rural, and aul soviets of people's deputies provide for the accounting of the voters and provide the ward electoral commissions with information about the voters residing in the appropriate territory, which information is necessary for preparing the voter lists.

Lists of military voters who are located in military units, as well as members of military personnel and other

voters, if they are residing in areas where the military units are deployed, are prepared on the basis of information provided by the commanders of the military units. Military personnel residing outside of military units are included in the voter lists at their place of residence, on general principles.

Voter lists for the electoral wards formed in sanatoriums and rest homes, hospitals, and other in-patient therapeutic institutions, and also on ships which are en route on election day, are prepared by the administrators of those institutions and by the ship captains.

The last names of the voters are indicated in the voter list in a sequence that is convenient for organizing the voting.

#### **Article 27. Procedure for Including Citizens in the Voter List**

The voter list includes all Kazakh SSR citizens who, prior to or on election day, have reached the age of 18 years, and who permanently or temporarily reside, as of the moment that the list was prepared, on the territory of the particular electoral ward and who have the right to participate in the voting.

A voter can be included in a voter list in only one electoral ward.

Citizens who have arrived at the electoral ward after the voter lists have been submitted for universal familiarization are included in a supplemental list.

#### **Article 28. Familiarizing the Citizens with the Voter Lists and the Right to Appeal Inaccuracies in the Voter List**

The voter list is submitted for universal familiarization 15 days before the election, and in electoral wards formed in sanatoriums, rest homes, hospitals, and other in-patient therapeutic institutions, two days before the election.

Citizens are provided the opportunity to familiarize themselves, in the facilities of the ward electoral commission, with the voter list and to check the correctness of recording the last name, first name, patronymic, and other information.

Each citizen is granted the right to appeal his noninclusion, incorrect inclusion in the list, or his exclusion from the list, as well as any inaccuracies that were made in the list in indicating the information about the voter. The statement concerning the inaccuracies in the list is reviewed by the ward electoral commission, which is required within a two-week period—or, on the day before election day or on election day itself, immediately—to make the necessary corrections in the list or to issue the person making the statement a copy of the substantiated decision concerning the rejection of his statement. This decision can be appealed to the rayon (city) people's court no later than five days before the election, and that court is required to review the complaint within three days. The decision of the rayon (city)

people's court is final. Corrections in the voter list in conformity with a court decision are made immediately by the ward electoral commission.

### **VI. Nomination and Registration of Candidates for Election as Deputies to Local Soviets**

#### **Article 29. Procedure for Nominating Candidates for Election as Deputies to Local Soviets**

Nomination of candidates for election as deputies begins 70 days before the election and ends 45 days before it.

Candidates for election as deputies are nominated at general meetings (conferences) of labor collectives and collectives of schoolchildren and students at higher and secondary special educational institutions. In large-scale labor collectives, nominations can be made at meetings in the collectives of shops, sectors, shifts, or other subdivisions. The meeting (conference) is convoked by the council of the labor collective, and where no such council has been formed, by the committee of the collective's trade union, jointly with the administration. The meeting is valid if the majority of the collective members take part in it. The conference is valid if no less than two-thirds of the delegates take part in it.

Candidates for election as deputies from public organizations are nominated by their oblast, rayon, city, and city-rayon agencies, and candidates for election as deputies to city (in cities of rayon subordination), settlement, rural, and aul soviets, by their primary organizations.

The candidates for election as deputies are nominated at meetings of voters at their place of residence, which are organized by the district electoral commissions jointly with the appropriate soviets of people's deputies or their presidiums. The meeting is valid if no fewer than 100 voters who reside on the territory of the electoral district, or the territory of the appropriate soviet if no electoral districts have been formed, take part in it.

Meetings (conferences) of military personnel to nominate candidates for election as deputies are convoked by the command element of the military units.

At the meetings (conferences), conditions are created for discussing an unlimited number of candidacies. Each participant in the meeting (conference) has the right to make proposals concerning the candidates for election as deputies, to participate in discussing them, and to support the proposed candidacies or make proposals to reject them.

A labor collective, collective of schoolchildren or students, or a meeting of voters at their place of residence or of military personnel at their military units nominates one candidate for election as deputy. The decision to nominate a candidate for election as deputy is made at a meeting (conference) by open or secret voting. The voting procedure and other procedural questions are established by the meeting (conference).

The candidate is deemed to be nominated if more than half the meeting (conference) participants, or the majority of the overall makeup of the appropriate agency of the public organization, have voted for him. Minutes are prepared, concerning the nomination of the candidate for election as deputy and the submission of his name for registration. The decision that has been made is reported to the candidate for election as deputy within two weeks. Persons who, as a rule, are nominated as candidates for election as deputies are those who work or reside on the territory of the appropriate soviet.

A Kazakh SSR citizen cannot be simultaneously a deputy in more than two soviets of people's deputies.

#### **Article 30. Registration of Candidates for Election as People's Deputies to Local Soviets**

Candidates for election as deputies to local soviets are registered by the appropriate district electoral commission upon the representation of the labor collectives, collectives of schoolchildren and students, agencies of public organizations, and meetings of voters at their place of residence or of military personnel at their military units, who have nominated candidates for election as deputies.

If an election to settlement, rural, and aul soviets is being conducted without the formation of electoral districts, the candidates for election as deputies are registered by the settlement, rural, or aul electoral commissions.

The names of any number of candidates for election as deputies can be submitted for registration.

Registration of candidates for election as deputies begins 45 days before the election day and ends a month before that day.

The decision to register candidates for election as deputies is made if the following documents are present: minutes of meetings (conferences) or the decision of the agency of a public organization to nominate candidates for election as deputies in the particular electoral district as well as the statements from the candidates for election as deputy that they consent to run for office in the particular electoral district. The persons listed in Article 10 of this Law, upon being nominated as candidates for election as deputies, indicate in their statements their intention to free the occupied positions in the event that they are elected as deputies, or they report the withdrawal of their candidacies. The electoral commission prepares minutes concerning the registration of candidates for election as deputies, which minutes, together with the statements made by the candidates for election as deputies, are submitted within five days to the appropriate oblast, rayon, city, city-rayon, settlement, rural, or aul electoral commission.

Refusal to register can be appealed within three days to the superior electoral commission.

A candidate for election as deputy can run for office simultaneously in only one electoral district of the

appropriate soviet, or, in the event that the electoral districts were not formed, in only one settlement, rural, or aul soviet.

A candidate for election as deputy cannot be a member of the corresponding oblast, rayon, city, city-rayon, settlement, rural, or aul and also the district or ward electoral commissions of the electoral district where he was nominated as a candidate. A person who has been nominated as a candidate for election as deputy and who is a member of one of the indicated commissions is deemed to be released from his duties in the commission from the moment that he is registered as a candidate for election as deputy.

The appropriate district electoral commission, no later than the fourth day after the registration of candidates for election as deputy, publishes in the press or by some other method makes known to the voters the report on registration, with an indication of the last name, first name, patronymic, year of birth, party affiliation, education, occupied position (occupation), and place of birth and residence of every candidate for election as deputy.

The registered candidate for election as a deputy of a local soviet is issued an identification document.

#### **Article 31. Annulment of a Decision to Nominate a Candidate for Election as a Deputy to a Local Soviet. Withdrawal by a Candidate for Election as Deputy of His Own Candidacy**

The labor collective, collective of schoolchildren or students, agency of a public organization, or meeting of voters at their place of residence or military personnel at their military unit, who have nominated a candidate for election as deputy, have the right at any time prior to the election to annul their decision to nominate the candidate for election as deputy. The decision with regard to this question is made in the procedure stipulated for nominating candidates for election as deputy, and is forwarded to the appropriate district electoral commission.

The candidate for election as deputy, at any time prior to the election, can withdraw his own candidacy, by sending statement to this effect to the appropriate district electoral commission.

The electoral commission informs the public in the electoral district of the decision to nominate a candidate for election as deputy, or the candidate's withdrawal of his own candidacy.

#### **Article 32. Procedure for Nominating Candidates for Election as Deputies to Local Soviets to Fill Vacancies That Have Been Created**

In the event that a vacancy for a candidate for election as deputy is created after the end of the registration deadline, if no other candidates remain in the electoral district, and if, on the territory of the soviet where districts have not been formed, the number of remaining

candidates is less than the number of deputy mandates, the appropriate electoral commission contacts the labor collectives, collectives of schoolchildren and students, public organizations, and meetings of voters at their place of residence or military personnel at their military units, recommending to them that they nominate new candidates for election as deputies. If vacancies for candidates for election as deputies are created less than ten days before the election, the election of a deputy from the electoral district or on the territory of the soviet is held within a month after the general election.

Candidates for election as deputy to fill a vacancy that has been created are nominated in the procedure established by this Law.

### Article 33. Ballot

The ballot includes, in alphabetical order, all the registered candidates for election as deputies, with an indication of last name, first name, patronymic, occupied position (occupation), and place of work and residence of each candidate for election as deputy. The ballots are printed in the languages used by the population in the electoral district, and are delivered to the ward electoral commissions no later than five days prior to the election. In the event that the election is being conducted not by electoral districts, the ballot indicates the number of deputies being elected to the appropriate soviet.

## VII. Guarantees of the Activities of the Candidates for Election as Deputies to Local Soviets

### Article 34. Right of the Candidate for Election as Deputies to Local Soviets to Participation in the Election Campaign

Candidates for election as deputies have the right to speak at pre-election and other meetings, conferences, sessions, in the press, and on television and the radio.

State and public agencies and administrators of enterprises, institutions, organizations, and public-action agencies are required to assist the candidate for election as deputy in organizing meetings with the voters, and in obtaining the necessary reference and informational materials.

### Article 35. Pre-Election Platform of the Candidate for Election as Deputy to a Local Soviet

The candidate for election as deputy gives a speech outlining the platform for his future activities. The platform of the candidate for election as deputy must not contradict the USSR Constitution, the Kazakh SSR Constitution, or other Laws of the USSR and Kazakh SSR.

A candidate for election as deputy, in the even that he is elected, is responsible to the voters for fulfilling his pre-election platform.

### Article 36. Proxies of the Candidate for Election as Deputy to a Local Soviet

A candidate for election as deputy can have as many as three proxies, who help him in conducting the election campaign, who carry out agitation for electing him as deputy, and who represent his interests in interrelationships with state and public agencies and the voters, and also in the electoral commissions.

The candidate for election as deputy determines his proxies at his own discretion and informs the district electoral commission about them for registration purposes. The election commission, after registering the proxies, issues identification documents to them.

The proxy cannot be a member of the appropriate oblast, rayon, city, city-rayon, settlement, rural, aul, or district or ward electoral commission.

The proxies' powers can be discontinued at any time prior to the election, either on the basis of a recommendation made by the candidate for election as deputy, or on the basis of his statement. This is reported to the district electoral commission. The powers of the proxies of the candidates for election as deputy expire after the tallying up of the election results.

### Article 37. Pre-Election Agitation

Candidates for election as deputy hold meetings with their voters both at meetings and in some other form that is convenient for the voters. The voter meetings are organized by the appropriate electoral commissions and soviets of people's deputies or their presidiums, and by agencies of public organizations. The voters are informed ahead of time of the time and place where the meetings are to be held.

Labor collectives, collectives of schoolchildren and students, public organizations, and voters at their place of residence or military personnel at their military units who have nominated candidates for election as deputy are granted the right to carry out unhindered agitation for their candidates.

They are provided with equipped facilities for meetings and rallies, as well as mass media for conducting pre-election agitation.

Kazakh SSR citizens, labor collectives, and public organizations are guaranteed the opportunity for free and complete discussion of the political, on-the-job, and personal qualities of the candidates for election as deputy, and also the right to conduct agitation for or against the candidates at meetings, in the press, and on television and radio.

The pre-election agitation must be conducted within the confines of businesslike, constructive discussion, excluding anything that shows a disrespectful attitude to the particular candidate for election as deputy.

Agitation is not allowed on election day.

#### **Article 38. Releasing a Candidate for Election as Deputy to a Local Soviet From His Production or Official Duties in Order to Participate in Pre-Election Measures**

After registration, the candidate for election as deputy, for the period of time required to conduct meetings with the voters and to make statements at pre-election meetings, rallies, and on television and the radio, is released from the fulfillment of his production or official duties, with the retention of his average earnings, payable from the funds allocated for the conducting of the election.

#### **Article 39. Right of the Candidate for Election as Deputy to a Local Soviet to Receive Free Travel**

After registration, a candidate for election as deputy has the right to receive free travel on all types of passenger transportation (with the exception of taxis) within the confines of the appropriate soviet.

#### **Article 40. Inviolability of the Candidate for Election as Deputy to a Local Soviet**

A candidate for election as deputy cannot be brought, on the territory of the appropriate soviet, to criminal responsibility, arrested, or subjected to measures of administrative punishment that are imposable in a court procedure, without the consent of the appropriate oblast, rayon, city, city-rayon, settlement, rural, or aul electoral district.

### **VIII. Procedure for Voting and Tallying Up the Election Results**

#### **Article 41. Time and Place of Voting**

In an election of deputies to Kazakh SSR local councils, the voting is held on election day from 0700 to 2000 hours, local time.

The oblast, rayon, city, city-rayon, and aul electoral commissions, upon proposal by the appropriate soviet of people's deputies or its presidium, or of ward electoral commissions, can increase the time for voting at individual electoral wards where some of the voters, for production reasons, cannot take part in the voting within the period of time established by the Election Law. At such time the voting can begin no earlier than 0600 hours and end no later than 2200 hours. The decision to change the time for the beginning or ending of the voting at the electoral ward is made by the appropriate electoral commission no later than five days before the election. The ward electoral commission informs the voters about the time and place of the voting no later than five days before the election.

At electoral wards that are formed on ships which are en route on election day, in military units, and in remote or relatively inaccessible areas, the ward electoral commission can declare the voting to be completed at any time if all the voters included on the list have voted. The list of these wards is approved by the rayon, city, or city-rayon electoral commission no later than five days before the election.

#### **Article 42. Organizing the Voting**

The voting is held in specially allocated facilities which must be equipped with a sufficient number of booths or rooms for secret voting, and where places must be determined for the handing out of the ballots and ballot boxes must be installed for voting in such a way that the persons voting, as they approach them, must necessarily pass through the booths or rooms for the secret voting.

The responsibility for organizing the voting, for guaranteeing the secrecy of the expression of the voters' will, for equipping the facilities, and maintaining the necessary order in them is borne by the ward electoral commission.

On election day, before the voting begins, the ballot boxes are checked and are closed with lead or with a seal by the chairman of the ward electoral commission in the presence of the commission members.

Each voter votes personally. Voting for other persons is not authorized. The ballots are issued by the ward electoral commission on the basis of the voter list upon presentation of the person's internal passport or other identification. A notation is made in the voter list concerning the issuance of the ballots.

In the event that individual voters, for reasons of health or other reasons, cannot come to the facilities to vote, the ward electoral commission, upon their request, instructs individual commission members to organize the voting in the place where those voters are situated, and a notation to that effect is made in the voter list.

#### **Article 43. Conducting the Voting**

The ballots are filled out by the persons voting in the booth or room for secret voting. When the ballots are being filled out, no one except the person voting is allowed to be present. A voter who is incapable of filling out the ballot independently has the right to invite into the booth or room for secret voting another person at his own discretion, other than a member of the electoral commission.

The voter crosses out in the ballot the names of the candidates against whom he is voting and drops the completed ballot into the ballot box.

#### **Article 44. Tallying of Votes at the Electoral Ward**

The votes at the electoral ward are tallied by the ward electoral commission separately for each electoral district and each candidate for election as deputy.

The ballot boxes are opened by the ward electoral commission after the commission chairman has announced the end of the voting. The opening of the ballot boxes prior to the end of the voting is forbidden. Before the ballot boxes are opened, all the unused ballots are counted out and are voided by the ward electoral commission.

The ward electoral commission, on the basis of the voter lists, establishes the total number of voters in the ward and the number of voters who received ballots. On the basis of the ballots contained in the ballot boxes, the ward electoral commission, for each electoral district (within the confines of the particular electoral ward), or, in the event that electoral districts were not formed, on the territory of the settlement, village, or aul that is part of the electoral ward, establishes: the total number of voters who took part in the voting; the number of votes cast for and the number of votes cast against each candidate for election as deputy; and the number of ballots that have been deemed to be invalid. The votes are not tallied for citizens whose name were written in on the ballots by the voters.

Ballots are deemed to be invalid if they are not of the established form, if they are from another district, or if, during the voting, the names of more than one candidate were left on the ballot. In the event that electoral districts for electing deputies were not formed, ballots that are not of the established form, and those of another soviet, are deemed to be invalid. In the event that the names of all the candidates for election as deputy are crossed out in the ballot, it is deemed to be valid, that is, the voter has voted against each candidate. If any doubts should arise about the validity of the ballot, the question is resolved by the ward electoral commission by means of a vote.

The results of the vote tally are reviewed at a session of the ward electoral commission and are recorded in minutes that are prepared separately for each electoral district, or, in the event that they have not been formed, for the electoral ward as a whole. The minutes are signed by the chairman, deputy chairman, secretary, and members of the commission, and are sent immediately to the appropriate district electoral commission.

#### **Article 45. Establishment of the Election Results for the Electoral District**

The election results for the electoral district are established by the appropriate district electoral commission.

On the basis of the minutes of the ward electoral commissions, the district electoral commission determines: the total number of voters in the district; the number of voters who received ballots; the number of voters who took part in the voting; the number of votes cast for and the number of votes cast against each candidate for election as deputy; and the number of ballots that have been deemed to be invalid.

The results of an election by electoral districts of deputies to settlement, rural, and aul soviets of people's deputies are established by the ward electoral commissions.

A candidate for election as deputy is considered to be elected if he has received at the election more than half the votes cast by the voters who took part in the election.

In the event that no electoral districts were formed, the election results are established by the appropriate settlement, rural, or aul electoral commissions on the basis of the minutes of the ward electoral commissions. At such time the candidates who received in the election the largest number of votes in conformity with the number of mandates and more than half the votes cast by the voters who took part in the election are considered to be elected.

The district electoral commission can deem the election to be invalid as a result of violations of this Law which were committed during the course of the election or the tallying of the votes.

The election is deemed to be void if less than half the voters who were included in the voter lists took part in it, or in the event that a vacancy has been created for a candidate for election as deputy and only one candidate has been registered for the district.

The election results are recorded in minutes that are signed by the chairman, deputy chairman, secretary, and members of the commission. The minutes concerning the election results for the electoral district are sent immediately to the appropriate oblast, rayon, city, city-rayon, settlement, rural, or aul electoral commission.

#### **Article 46. Registration of Deputies to Local Soviets**

The oblast, rayon, city, city-rayon, settlement, rural, and aul electoral commission for electing and recalling deputies to local soviets, on the basis of the minutes concerning the election results, tallies up the election results and registers the elected deputies to the local soviet.

The election commission can refuse to register a deputy and can deem the election to be invalid if, in the course of the election or the tallying of the votes, or in determining the election results, violations of this Law have occurred.

#### **Article 47. Publication of the Results of an Election of Deputies to Local Soviets**

The appropriate oblast, rayon, city, city-rayon, settlement, rural, and aul electoral commission, no later than the seventh day after the election, publishes in the press, or by some other means, informs the voters about the results of the election of deputies to the local soviets, and a list of the elected deputies in alphabetical order with an indication of last name, first name, and patronymic, occupied position (occupation), party affiliation, education, deputy's place of work and residence, the electoral district from which he was elected deputy, the number of votes cast against and the number of votes cast for each candidate for election as deputy, and a list of the districts where runoff voting or a runoff election will be held.

#### **Article 48. Identification Card and Lapel Pin of a Deputy to a Local Soviet**

The district electoral commission, after publication in the press of the list of deputies to Kazakh SSR local

soviets who have been registered by the appropriate oblast, rayon, city, city-rayon, settlement, rural, or aul electoral commission, issues to each elected deputy an identification card concerning his election. In the event that no districts were formed, the identification card concerning the deputy's election is issued by the appropriate settlement, rural, or aul electoral commission.

After the soviet has approved the powers of the elected deputies, the identification cards concerning the person's having been elected as a deputy are replaced by the identification card for a deputy to the appropriate local soviet. The deputy is also issued a lapel pin.

#### **IX. Runoff Voting, Runoff Election, Election of Deputies to Local Soviets to Fill Vacancies That Have Been Created, Election in Newly Formed Administrative-Territorial Units**

##### **Article 49. Runoff Voting**

If more than two candidates for election as deputy have run for election in the electoral district and neither one of them has been elected, the district electoral commission makes the decision to hold in the district a runoff election for the two candidates for election as deputies who received the largest number of votes. The district electoral commission reports this decision to the appropriate superior electoral commission and informs the voters in the district.

A runoff voting in an election of deputies to a settlement, rural, or aul soviet in which no electoral districts were formed, is held in the event that an equal number of voters was cast for individual candidates for election as deputy, thus making it impossible to determine which deputies have been elected. The runoff voting is held within two weeks with the observance of the requirements stated in this Law.

A candidate for election as deputy who has received during the runoff election the largest number of votes cast by the voters, with respect to the other candidate, from the number of voters who took part in the voting is considered to be elected.

If, during a runoff voting, one of the candidate withdraws for any reason, the voting is conducted for a single candidate. At such time, in order to be considered elected, the candidate for election as deputy must receive more than half the votes cast by the voters who took part in the voting.

A runoff vote is held by the appropriate district or ward electoral commission in its previous makeup, in the same electoral wards, and on the basis of the same voter lists.

##### **Article 50. Runoff Election**

If no more than two candidates for election as deputy to local soviets have run for election in the electoral district and neither of them has been elected, or of the election for the electoral district has been deemed to be void or

invalid, or if the runoff voting did not make it possible to determine which deputy had been elected, the appropriate electoral commission makes a decision to conduct a runoff election in the electoral district. At such time it can make a decision about the need for the election to be held by a district or ward electoral commission in a new makeup.

If, during an election of deputies to a settlement, rural, or aul soviet where no electoral districts were formed, the number of elected deputies proved to be less than the number of deputy mandates, if the election has been deemed to be void or invalid, or if the runoff voting did not make it possible to determine which deputy had been elected, the settlement, rural, or aul electoral commission makes a decision concerning the conducting of a runoff election. In the runoff election, the missing number of deputies is elected, or all the deputies are elected if the election had been deemed to be void or invalid.

A runoff election is conducted within two months after the general election.

The appropriate electoral commission schedules the runoff election no later than a month before its being conducted. The voting is done in the same electoral wards and in accordance with the same voter lists that had been prepared for the conducting of the general election.

The voter lists must include the names of citizens who, during that period of time, arrived to take up permanent or temporary residence, and those who, prior to or on the day when the election is to be held in the particular electoral district, have reached the age of 18 years.

The formation of electoral commissions, the registration of candidates for election as deputies, and the other measures are carried out in the procedure established by this Law.

Candidates who have not received the necessary number of votes and who have not been elected as deputies do not run for office in a runoff election.

##### **Article 51. Conducting of an Election of Deputies to Local Soviets to Fill Vacancies That Have Been Created**

In the event that the appropriate soviet of people's deputies has deemed the powers of individual deputies to be invalid, and also in the event of a recall of a deputy, or the preterm cessation of the deputy's powers for other reasons, within three months from the moment that the vacancy has been created, a new election is conducted. The election is scheduled by the appropriate oblast, rayon, city, city-rayon, settlement, rural, or aul electoral commission no later than a month before the election is to be held and is organized with the observance of the requirements stated in this Law. At such time, the district electoral commission is formed no later than the third day, and the ward electoral commissions no later than the fifth day, after the scheduling of the election.

Nomination of the candidates for election as deputies begins on the fifth day and ends on the twelfth day after the scheduling of the election. The registration of the candidates for election as deputy ends 15 days before the election.

In the event that a vacancy for a deputy has been created less than a half-year before the expiration of the term of office of the soviet of the people's deputies, no election is held to fill the vacancy.

#### **Article 52. Conducting an Election of Deputies to Local Soviets in Newly Formed Administrative-Territorial Units**

An election of deputies to local soviets in newly formed administrative-territorial units is conducted in instances when the formation of a soviet of people's deputies is impossible in view of the lack or insufficient number of deputies to the appropriate soviet who were elected in the electoral districts on the territory that became part of the newly formed oblast, rayon, city, city-rayon, workers settlement, rural soviet, or aul soviet.

The election of deputies to oblast soviets is scheduled by the Kazakh SSR Supreme Soviet or its Presidium, and an election to rayon, city, city-rayon, settlement, rural, or aul soviets of people's deputies, by the superior soviet of people's deputies or its presidium, and is conducted within three months after the day of formation of the administrative-territorial unit. The election is held in the procedure established by this Law.

The formation of electoral districts and the approval of the makeup of the electoral commissions are carried out by the appropriate oblast, rayon, city, city-rayon, settlement, rural, and aul electoral commission, which is approved by the superior soviet of people's deputies or its presidium.

#### **X. Identification Card Concerning Election as a Deputy to a Local Soviet. Forms of Election Documents and the Procedure for Storing Them. Models of the Lapel Pin and the Ballot Box**

##### **Article 53. Forms of the Election Documents, Models of the Lapel Pin and the Ballot Box**

The forms of the voter list and the minutes of the electoral commissions, the forms and color of the ballots, the forms for the identification cards for the candidate for election as deputy, the authorized representative of the candidate, and the elected deputy, the model of the lapel pin for the deputy to a local soviet, as well as the model of the ballot box, are established by the Presidium of Kazakh SSR Supreme Soviet.

#### **Article 54. Procedure and Periods of Time For Storage of Election Documents**

Official correspondence of the electoral commissions for electing deputies to local soviets is forwarded by the electoral commissions, upon the completion of their work, to the agencies that approved the makeup of the appropriate commissions.

The procedure and periods of time for storage of election documents are established by the Presidium of Kazakh SSR Supreme Soviet.

#### **Kazakh SSR Law on Elections of People's Deputies for Local Soviets**

*90US0134A Alma-Ata KAZAKHSTANSKAYA PRAVDA in Russian 1 Oct 89 pp 1-4*

[“Law of the Kazakh Soviet Socialist Republic on Elections of Deputies of Local Soviets of the Kazakh SSR Soviets of People's Deputies”]

##### **[Text] I. Fundamental Principles**

##### **Article 1. Fundamentals of Elections of Deputies to the Kazakh SSR Local Soviets of People's Deputies**

Elections of deputies to the Kazakh SSR local Soviets of People's Deputies shall be conducted for single-seat election okrugs on the basis of the universal, equal, and direct franchise with secret balloting.

Elections of deputies to settlement, village, and aul Soviets of People's Deputies can also be conducted without forming election okrugs on the territory of the appropriate Soviet.

##### **Article 2. Universal Franchise**

Elections of deputies to local soviets shall be universal: all citizens of the Kazakh SSR who have reached the age of 18 years shall have the right to vote and to be elected.

Any direct or indirect restriction on the franchise of Kazakh SSR citizens with regard to origin, social or property status, racial or national factors, sex, education, language, attitude toward religion, time of residence in the given locality, type and nature of employment shall be prohibited.

Elections shall not be participated in by mentally ill citizens, by those persons deemed by a court to be incompetent, those persons who are being incarcerated, as well as those who have been sent by a court decision to places of compulsory treatment.

##### **Article 3. Equal Franchise**

Elections of deputies to local soviets shall be equal: a voter shall have one vote for each election okrug; voters shall participate in elections on an equal footing.

Women and men shall have equal franchises.

Military service personnel shall enjoy an equal franchise with all citizens.

#### **Article 4. Direct Franchise**

Elections of deputies to local soviets shall be direct: the deputies of oblast, rayon, city, municipal-okrug, settlement, village, and aul Soviet of People's Deputies shall be elected by citizens directly.

#### **Article 5. Secret Balloting**

Balloting at elections of deputies to the Kazakh SSR local soviets shall be secret: monitoring the voters' manifestation of their free choice shall not be permitted.

#### **Article 6. Conduct of Elections by Electoral Commissions**

The conduct of elections of deputies to local soviets shall be guaranteed by electoral commissions, which shall be formed from representatives of labor collectives, public organizations, meetings of voters at their places of residence, and military service personnel at their military units.

#### **Article 7. Glasnost in Preparing and Conducting Elections of Deputies to Local Soviets**

The preparation and conduct of elections of deputies to local soviets shall be carried out by electoral commissions, labor collectives, and public organizations openly and according to the principle of glasnost.

The electoral commissions shall inform the citizens about their work, about the formation of election okrugs, the composition, location, and hours of operation of the electoral commissions, the lists of voters, the course of the nominations, the results of registering candidates for the office of deputy, biographical data about the registered candidates, the results of the balloting for each candidate, and the results of the elections.

Sessions of the electoral commissions, including those concerned with registering candidates for the office of deputy, sealing up and opening ballot boxes for voting, the balloting itself, when the votes are being tallied at an election district, when the election results are being ascertained, and the overall election results are being totaled up, shall be rightfully attended by representatives of labor collectives, public organizations, meetings of voters at their places of residence, and military service personnel at their military units, organs of state authority, agents of the candidates for the office of deputy, as well as representatives of the press, radio, and television. The credentials of the above-indicated representatives shall be certified by the appropriate document or by a decision of the labor collective, meeting of voters at their places of residence, or military service personnel at their military units. The intention of such representatives to be present on election day at the balloting or at sessions held by the electoral commissions must be communicated to the appropriate electoral commissions not later than two days prior to the elections. Interference by the above-indicated representatives in the work of the electoral commissions shall not be allowed.

The mass media shall elucidate the progress being made in preparing and conducting the elections of deputies to the local Soviets of People's Deputies in Kazakh, Russian, and the other languages which are used by the population. Their representatives shall be guaranteed unhampered access to all meetings and sessions connected with the elections. The electoral commissions, state and public organs, as well as labor collectives, shall submit to them information connected with the preparation and conduct of the elections.

#### **Article 8. Participation of Citizens, Labor Collectives, and Public Organizations in the Preparation and Conduct of Elections of Deputies to Local Soviets**

Citizens of the Kazakh SSR shall participate in the preparation and conduct of elections of deputies to local soviets via labor collectives, collectives of students and pupils of higher and secondary special educational institutions, public organizations, meetings of voters at their places of residence, and military service personnel at their military units, as well as directly.

Labor collectives and public organizations shall participate in the preparation and conduct of elections through their own representatives on the electoral commissions, as well as directly.

#### **Article 9. The Right to Nominate Candidates for the Office of Deputy to Local Soviets**

The right to nominate candidates to the office of deputy to local soviets shall belong to labor collectives, collectives of students and pupils of higher and secondary special educational institutions, public organizations, meetings of voters at their places of residence, and military service personnel at their military units.

#### **Article 10. Incompatibility of Status of a Deputy to a Local Soviet and an Official Service Position**

Persons who are members of the ispolkoms of local Soviets of People's Deputies, except for the chairmen of these organs, the heads of divisions, administrations, and other sub-divisions of the ispolkoms of local soviets and their deputies, the chairmen and members of people's courts, the chief state arbiters, and the state arbiters of oblasts, cannot be deputies of a soviet to which they are appointed or elected or accountable to it.

#### **Article 11. Expenditures Connected with Elections of Deputies to Local Soviets. Financial Support of Elections**

The expenditures connected with preparing and conducting the elections of deputies to local soviets shall be borne solely by means of the state.

Enterprises, institutions, and organizations, as well as state and public organs, shall offer for the use of electoral commissions the rooms, equipment, and transportation necessary for preparing and conducting elections.

Candidates for the office of deputy to local soviets, their agents and voters, shall not bear the expenditures connected with preparing and conducting elections.

**Article 12. Responsibility for Violating Legislation on Elections**

Persons who hinder by means of violence, deceit, threats, or other means the free exercise by a citizen of the Kazakh SSR of his right to vote or be elected a deputy to a local soviet, to carry on pre-election campaigning, as well as officials of state or public organs who have committed forgery of election documents, who have knowingly submitted an incorrect vote tally, who have violated the secrecy of balloting, or who have permitted other violations of the present Law, shall bear the responsibility established by the Law. Also to be held responsible are persons who have published or by other means disseminated false information about a candidate for the office of deputy, or who have committed other acts which demean his dignity.

**II. Procedure for Setting Elections and Forming Election Okrugs****Article 13. Setting Elections of Deputies to Local Soviets**

Elections of deputies to local soviets shall be conducted and set at the same time by the Kazakh SSR Supreme Soviet no later than three months prior to the expiration of the powers of the oblast, rayon, city, municipal-okrug, settlement, village, and aul Soviets of People's Deputies.

An announcement of the election day shall be published in the press.

**Article 14. Formation of Election Okrugs**

Election okrugs shall be formed for the purpose of electing deputies to local soviets.

Election okrugs shall be formed as follows:

- to the oblast Soviet of People's Deputies—up to 150 election okrugs;
- to the Alma-Ata City Soviet—up to 200 election okrugs;
- to the Leninsk City Soviet of People's Deputies—up to 100 election okrugs;
- to the rayon Soviet of People's Deputies—up to 75 election okrugs;
- to the city Soviet of People's Deputies of cities under oblast administration—up to 100 election okrugs;
- to the city Soviet of People's Deputies of cities under rayon administration—up to 50 election okrugs;
- to municipal-okrug Soviet of People's Deputies—up to 75 election okrugs;
- to the settlement, village, and aul Soviet of People's Deputies—up to 40 election okrugs.

Within the bounds of the norms established by the present article, the number of election okrugs for elections to oblast, rayon, city, municipal-okrug, settlement,

village, and aul Soviets of People's Deputies shall be determined by the appropriate local soviet or its presidium.

Election okrugs shall be formed appropriately by the oblast, rayon, city, municipal-okrug, settlement, village, or aul electoral commission, upon the submission of the soviets or their presidiums, as a rule, with an equal number of voters on the entire territory of the soviet, taking into account its administrative-territorial division.

It is also possible that election okrugs not be formed for elections of deputies to settlement, village, and aul soviets. Each settlement, village, and aul Soviet of People's Deputies shall decide the question of conducting elections by election okrugs or for the entire territory of the soviet involved.

The lists of election okrugs, with an indication of their boundaries and okrug centers, shall be published in the press or otherwise made known to the voters of the appropriate oblast, rayon, city, municipal-okrug, settlement, village, or aul electoral commission not later than two and a half months prior to the elections.

**III. Election Districts****Article 15. Formation of Election Districts**

Election districts shall be formed in order to conduct balloting and to tally up the votes in elections of deputies to local soviets in rayons and cities.

Election districts shall also be formed in military units and shall be included in the election okrugs at the places where the military units are stationed.

Election okrugs may also be formed in sanatoriums and rest homes, in hospitals and other stationary treatment institutions, in places inhabited by people which are located in remote, difficult-to-reach places, in areas where nomadic livestock raising is practiced, as well as on ships which are en route on election day. Such election districts may be included within election okrugs appropriate to the place where they are located or to a ship's port of registry.

The question of relegateing election districts formed on ships which are en route on election day to election okrugs for the election of deputies to local soviets shall be decided by the appropriate rayon, city, or municipal-okrug electoral commission located in the port of the ship's registry.

**Article 16. Procedure and Norm for Forming Election Districts**

Election districts shall be formed by rayon, city (except for cities under rayon administration), and municipal-okrug Soviets of People's Deputies or their presidiums upon agreement with rayon, city, or municipal-okrug electoral commissions. On ships which are en route on election day election districts shall be formed by the

appropriate Soviets of People's Deputies or by their presidiums located at the port of the ship's registry. In military units election districts shall be formed by the local Soviet of People's Deputies or by their presidiums upon the submission of applications by the commanders of the units or military groups in question.

Election districts shall be formed not later than two months prior to the elections. In military units, as well as in remote places which are difficult to reach, on ships which are en route during election day, election districts shall be formed within the same time frame, and, in exceptional cases—not later than five days prior to the elections.

Election districts shall be formed with not less than 20 and not more than 3,000 voters.

The appropriate local Soviet of People's Deputies or its presidium shall inform voters about the boundaries of each election district with an indication of the place where the electoral commission are the polling places are situated.

#### IV. Electoral Commissions

##### Article 17. System of Electoral Commissions

In order to conduct elections of deputies to local soviets, to recall them, or to conduct elections to replace recalled deputies, electoral commissions shall be formed as follows:

—oblast, rayon, city, municipal-okrug, settlement, village, and aul electoral commissions for electing and recalling deputies;

—okrug electoral commissions for electing deputies to oblast, rayon, city, rayon, and municipal-okrug Soviets of People's Deputies;

—district electoral commissions.

Okrug electoral commissions shall not be formed in election okrugs for elections to settlement, village, and aul Soviets of People's Deputies. In these cases the functions of okrug electoral commissions shall be performed by the district electoral commissions of those election districts which include the territories of the given election okrugs.

##### Article 18. Formation of Oblast, Rayon, City, Municipal-Okrug, Settlement, Village, and Aul Electoral Commissions for Electing and Recalling Deputies to Local Soviets

Oblast, rayon, city, municipal-okrug, settlement, village, and aul electoral commissions for electing and recalling deputies shall be formed by the appropriate Soviet of People's Deputies or its presidium not later than 80 days prior to the elections; such an electoral commission shall include 7-15 commission members.

Representatives to the electoral commissions shall be nominated by labor collectives or their councils, oblast,

rayon, city, municipal-okrug organs of public organizations, their primary organizations, or by meetings of voters at their places of residence, and by military service personnel at their military units.

In large labor collectives the nomination process may be conducted by shops, sections, shifts, or other subdivisions.

The term of office of electoral commissions shall be five years.

##### Article 19. Powers of Oblast, Rayon, City, Municipal-Okrug, Settlement, Village, and Aul Electoral Commissions for Electing and Recalling Deputies of Local Soviets

An oblast, rayon, city, municipal-okrug, settlement, village, or aul electoral commission for electing and recalling deputies shall:

- 1) exercise monitoring controls on the execution of the present Law and ensure its uniform application on the territory of the appropriate soviet;
- 2) ensure the preparation and conduct of elections in strict conformity with the present Law;
- 3) coordinate and direct the activities of the okrug and district electoral commissions regarding elections to the appropriate Soviets of People's Deputies;
- 4) form election okrugs for electing deputies to the appropriate local Soviet of People's Deputies and publish a list of them, inform the voters about the location of the electoral commission and the polling places;
- 5) listen to reports from okrug and district electoral commissions, the executive and administrative organs of local soviets, the leading officials of enterprises, institutions, and organizations, as well as those from the organs of public organizations on matters connected with preparing and conducting elections;
- 6) monitor the guaranteeing of equal rights to all candidates for the office of deputy;
- 7) distribute funds to electoral commissions, monitor the provision of electoral commissions with rooms, transportation, and communication, and examine other issues pertaining to the material and technical support of elections;
- 8) obtain from the okrug electoral commissions documents concerning the registration of candidates for the office of deputy and publish information about the composition of the registered candidates for the office of deputy to the appropriate local soviet;
- 9) in accordance with the form established by the Kazakh SSR Supreme Soviet Presidium, provide for the making of election ballots for the elections of deputies to the local soviets;
- 10) register deputies elected to the appropriate Soviet of People's Deputies;

- 11) summarize the election results and publish a list of the elected deputies in the press;
- 12) conduct repeat balloting and run-off elections, as well as elections to replace recalled deputies; solve problems connected with organizing the recall of deputies to the local soviet;
- 13) report to the first session of the Soviet of People's Deputies concerning the results of conducting the elections;
- 14) submit to the credentials commission of the appropriate Soviet of People's Deputies the documentation necessary for checking the powers of the deputies from each election okrug;
- 15) examine the statements and complaints regarding the decisions and actions of the electoral commissions and render final decisions on them;
- 16) exercise other powers in accordance with the present Law and other Laws of the Kazakh SSR.

#### **Article 20. Formation of Okrug Electoral Commissions**

Okrug electoral commissions shall be formed by the appropriate soviet or its presidium not later than 70 days prior to the elections.

Okrug electoral commissions for elections to the oblast, Alma-Ata, and Leninsk City Soviets of People's Deputies shall be formed and shall include 7-13 commission members.

Okrug electoral commissions for elections to rayon, city, and municipal-okrug Soviet of People's Deputies shall be formed and shall include 7-11 commission members.

Representatives to be included in an okrug electoral commission shall be nominated by labor collectives or by their councils, by the oblast, rayon, city, or municipal-okrug organs of public organizations, by organs of public amateur organizations, by meetings of voters at their places of residence, and by military service personnel at their military units. In large labor collectives the nomination process may be conducted by shops, sections, shifts, or other sub-divisions. The okrug electoral commissions' term of office shall end after the recognition by the appropriate local soviet of the credentials of the elected deputies.

#### **Article 21. Powers of Okrug Electoral Commissions**

An okrug electoral commission shall:

- 1) exercise monitoring controls over the execution of the present Law on the territory of the election okrug;
- 2) direct the activities of the district electoral commissions;
- 3) assist in organizing the nomination of candidates for the office of deputy;

- 4) register candidates for the office of deputy and their agents, issue them their proper credentials and publish reports in the press concerning the registered candidates for the office of deputy;
- 5) ensure equal conditions for candidates for the office of deputy;
- 6) hear reports from the district electoral commissions, the executive and administrative organs of the local soviets, the leading officials of enterprises, institutions, and organizations, as well as the organs of public organizations on matters connected with the preparation and conduct of elections;
- 7) organize, in conjunction with the labor collectives and public organizations, meetings between the candidates for the office of deputy and the voters in labor collectives or at their places of residence;
- 8) provide for the publication of posters and biographical data about the candidates for the office of deputy;
- 9) approve the text of the ballot for the election okrug, provide for the making of the election ballots and for supplying them to the district electoral commissions;
- 10) decide matters regarding the participation of representatives from labor collectives and public organizations in the work of the electoral commissions;
- 11) establish the election results for the election okrug and issue a certificate to the deputy who was elected;
- 12) organize the conduct of repeat balloting and run-off elections, as well as elections of deputies to replaced those recalled;
- 13) examine statements and complaints regarding the decisions and actions of the district electoral commissions and take decisions regarding them;
- 14) exercise other powers in accordance with the present Law.

#### **Article 22. Formation of District Electoral Commissions**

District electoral commissions shall be formed not later than 45 days prior to the elections and shall consist of 5-19 members.

Representatives to be included on district electoral commissions shall be nominated by labor collectives or their councils, rayon, city, municipal-okrug organs of public organizations, their primary organizations, organs of public amateur activity, by meetings of voters at their places of residence, and military service personnel at their military units. In large labor collectives the nomination process may be conducted by shops, sections, shifts, and other sub-divisions.

District electoral commissions shall be formed by rayon, city (except for cities under rayon administration), municipal-okrug Soviets of People's Deputies or their presidiums.

The term of office of district electoral commissions shall end simultaneously with the end of the term of office of the okrug electoral commissions.

#### **Article 23. The Powers of a District Electoral Commission**

A district electoral commission shall:

- 1) draw up a list of voters for the district;
- 2) conduct a familiarization of the voters with the list of voters, accept and examine statements about mistakes in the list, and decide matters of making the appropriate changes in it;
- 3) inform the voters about the registered candidates for the office of deputy, election day, and the polling place;
- 4) provide for the preparation of rooms, the manufacture of booths and boxes for voting;
- 5) organize voting on election day in the district;
- 6) produce a tally of the votes cast in the district;
- 7) examine statements and complaints regarding problems with preparing the elections, organizing the balloting, and take decisions concerning such problems;
- 8) exercise other powers in accordance with the present Law.

#### **Article 24. Organizing the Work of Electoral Commissions**

The chairman, deputy chairman, and secretary of an electoral commission shall be elected at the first session of the appropriate commission.

The decision on forming the electoral commission and the decree of the electoral commission on electing its leading officials shall be brought to the voters' attention.

Sessions of the electoral commission shall be legally competent if they are participated in by at least two-thirds of the commission's membership. Decisions of the commission shall be taken by open voting majority vote of the total membership of the commission. Commission members who do not agree with its decision shall have the right to state a separate opinion, which shall be attached in written form to the minutes of the electoral commission's session.

The decisions of electoral commissions, made within the limits of their powers, shall be binding for execution by all state and public organs, enterprises, institutions, and organizations.

The decisions and actions of an electoral commission may be appealed to a higher-ranking electoral commission and, in cases provided for by the present Law, also to a court.

One of the members of an electoral commission, with the exception of okrug commissions, including the

chairman, deputy chairman, and secretary, upon the commission's decision, may be freed up during the period of preparing and conducting the elections for a period of one month from the performance of their production or service duties with a retention of their average wage by means of funds allocated for conducting the elections.

In case of necessity, changes may be made in the membership of the commission by the organ which formed it. A labor collective, organ of a public organization, meeting of voters at their places of residence, and military service personnel at their military units shall have the right at any time to abrogate their decision with regard to nominating their representative to membership in the electoral commission.

#### **Article 25. Assisting the Electoral Commissions in Exercising Their Powers**

State and public organs, enterprises, institutions, organizations, and officials shall be obligated to assist the electoral commissions in exercising their powers and to submit data and materials necessary for their work.

An electoral commission shall have the right to appeal on matters connected with preparing and conducting elections to state and public organs, or to direct inquiries to enterprises, institutions, organizations, and officials, which shall be duty-bound to examine the question posed and furnish the electoral commission with a reply within a three-day time period.

#### **V. Lists of Voters**

##### **Article 26. The List of Voters and Procedure for Drawing It Up**

A list of voters shall be drawn up for each election district and signed by the chairman and secretary of the district electoral commission. The electoral commission may involve representatives of labor collectives and the public for participation in the work of drawing up the list.

The executive committees of city, municipal-okrug, settlement, village, and aul Soviets of People's Deputies shall provide an accounting of the voters and transmit to the district electoral commissions data about the voters who live on the territory in question, data necessary for compiling the lists of voters.

Lists of voters who are military service personnel stationed at military units, as well as family members of military service personnel and other voters, if they are living in regions where military units are stationed, shall be drawn up on the basis of data submitted by the commanders of the military units. Military service personnel who live outside military units shall be included on the lists of voters at their places of residence on general principles.

Lists of voters for electoral okrugs formed in sanatoriums and other stationary treatment institutions, as well

as on ships en route during election day, shall be drawn up on the basis of data to be submitted by the leading officials of the above-indicated institutions and by the ships' captains.

The last names of voters shall be indicated on the list of voters in an order which is convenient for organizing the voting.

#### **Article 27. Procedure for Including Citizens on a List of Voters**

A list of voters shall include all citizens of the Kazakh SSR who have reached the age of 18 by or on election day, who are permanently or temporarily residing at the time when the list is being drawn up on the territory of the given election district, and who have the right to take part in the voting.

Citizens who have arrived in the election district after the lists of voters have been submitted for general familiarization shall be included on a supplementary list.

#### **Article 28. Familiarizing Citizens with the Lists of Voters and the Right to Complain About Errors in the List of Voters.**

A list of voters shall be submitted for general familiarization 15 days prior to the elections, and at election districts formed in sanatoriums, rest homes, hospitals, and other stationary treatment institutions—2 days prior to the elections.

Citizens shall be provided with the opportunity to familiarize themselves in the area occupied by the district electoral commission with the list of voters and to verify the correctness of the written version of the last names, first names, patronymics, and other information.

Each citizen shall be accorded the right to complain about any non-inclusion or incorrect inclusion in the list, or exclusion from the list, as well as errors in indicating data about a voter. A statement concerning errors in the list shall be examined by the district electoral commission, which is duty-bound not later than within a two-day period, and one the eve of, or during, election day, to immediately examine such a statement, to make the necessary corrections in the list or to issue to the complainer a copy of the justified decision concerning the rejection of his statement. This decision may be appealed to a rayon (municipal) people's court not later than five days prior to the elections; such a court shall be obligated to examine the appeal within a three-day period. The decision of the rayon (municipal) people's court shall be final. Correction to the list of voters in accordance with the court's decision shall be carried out immediately by the district electoral commission.

#### **Article 29. Certification of the Right to Vote**

When a voter changes his place of residence during the period between the submission of lists of voters for general familiarization and election day, the district electoral commission, upon his request and upon his

presentation of a passport or other document attesting to his identity, shall issue to the voter a certificate granting him the right to vote. Moreover, an appropriate note shall be made in the list of voters.

Based on his certificate of a right to vote, the voter shall be included on election day in a supplementary list of voters in the election district according to the place of his residence.

#### **VI. Nomination and Registration of Candidates to the Office of Deputy to Local Soviets**

##### **Article 30. Registration of Candidates for the Office of Deputy Shall Begin 70 Days Prior and Shall End 35 Days Prior to the Elections.**

Nomination of candidates for the office of deputy shall be conducted at meetings (conferences) of labor collectives, collectives of students and pupils of higher and secondary special educational institutions. In large labor the nomination process may be conducted at meetings in the collectives of shops, sections, shifts, and other subdivisions. Such a meeting (conference) shall be convoked by the council of the labor collective, whereas in places where a council has not been formed—by a committee of the trade-union collective in conjunction with the administration. A meeting shall be legally competent if it is participated in by a majority of the collective's members. A conference shall be legally competent if it is participated in by at least two-thirds of the delegates.

Candidates for the office of deputy from public organizations shall be nominated by their oblast, rayon, city, or municipal-okrug organs, whereas candidates for the office of deputy of city (cities under rayon administration), settlement, village, and aul soviets shall be nominated by their primary organizations.

Nomination of candidates to the office of deputy shall be conducted at meetings of voters at their places of residence. They shall be organized by okrug electoral commissions, and in the case of elections to a settlement, village, or aul soviets—by settlement, village, or aul electoral commissions in conjunction with the appropriate soviets or their presidiums; meetings of voters for nominating candidates to the office of deputy shall be legally competent if it is attended by at least 200—for elections to an oblast soviet, at least 100—for elections to a rayon, ciy, or municipal-okrug soviet, and at least 25—for elections to a settlement, village, or aul soviet—voters who reside on the territory of the election okrug, or in a populated center or part of one in case no election okrug has been formed for elections to the appropriate soviet.

Meeting (conferences) of military service personnel for the purpose of nominating candidates for the office of deputy shall be convoked by the commanders of the military units.

Conditions shall be created at meetings (conferences) for discussing an unlimited number of candidacies. Each

participant in a meeting (conference) shall have the right to submit proposals concerning candidates for the office of deputy, take part in discussing them, support proposed candidacies, or introduce proposals concerning their withdrawal.

At a meeting (conference) one candidate shall be nominated for the office of deputy to a local soviet. A decision on nominating a candidate for the office of deputy shall be made at a meeting (conference) by an open or secret vote. The procedure for voting and other procedural matters shall be established by the meeting (conference).

A candidate shall be considered nominated if more than half of the participants at a meeting (conference) have voted for him, or if he has received a majority of votes from the total membership of the appropriate organ of a public organization. A document shall be drawn up concerning the nomination of a candidate for the office of deputy. A candidate for the office of deputy shall be informed about the taking of a decision no later than within a two-day time period. As a rule, citizens who work or live on the territory of the appropriate soviet shall be nominated as candidates for the office of deputy.

A citizen of the Kazakh SSR may not be a deputy simultaneously in more than two Soviets of People's Deputies.

### **Article 31. Registration of Candidates for the Office of Deputy of Local Soviets**

Candidates for the office of deputy of local soviets shall be registered by the appropriate okrug electoral commission upon being submitted by labor collectives, collectives of students and pupils, organs of public organizations, meetings of voters at their places of residence, military service personnel at their military units, who have nominated candidates for the office of deputy.

In case of elections held for settlement, village, and aul soviets without forming election okrugs, the registration of candidates for the office of deputy shall be conducted by the settlement, village, and aul electoral commissions.

Any number of candidates for the office of deputy shall be submitted for registration.

Registration of candidates for the office of deputy shall begin 45 days prior to and shall end a month prior to election day.

A decision as to registering candidates for the office of deputy shall be made when the following documents are available: the minutes of the meetings (conferences) or decisions of the organ of a public organization concerning the nomination of candidates for the office of deputy for the given election okrug, as well as statements of the candidates for the office of deputy on their consent to run for the given election okrug. Persons listed in Article 10 of the present Law, when they are nominated as candidates for the office of deputy, shall indicate in their statements their intention to vacate the positions presently occupied by them in the event that they are

elected as deputies, or they shall announce the removal of their names as candidates. Concerning the registration of candidates for the office of deputy, the electoral commissions shall draw up a document, which, together with the statements of the candidates for the office of deputy, shall be submitted within a five-day period to the appropriate oblast, rayon, city, municipal-okrug, settlement, village, or aul electoral commission.

A refusal to register may be appealed within a three-day time frame to a higher-ranking electoral commission.

A candidate for the office of deputy may be voted for simultaneously only in one election okrug of an appropriate soviet, whereas in the event that an election okrug has not been formed—only in one settlement, village, or aul soviet.

A candidate for the office of deputy cannot be a member of the corresponding oblast, rayon, city, municipal-okrug, settlement, village, or aul, nor in an okrug or district electoral commission where he has been nominated as a candidate. A person who has been nominated as a candidate for the office of deputy and who is a member of one of the above-indicated commissions shall be considered to be freed from his duties on the commission from the moment he is registered as a candidate for the office of deputy.

The appropriate okrug electoral commission no later than the fourth day after the registration of candidates for the office of deputy shall publish in the press or otherwise bring to the voters' attention an announcement of the registration, with an indication of the last name, first name, patronymic, year of birth, party status, education, position held (occupation), place of employment and residence of each candidate for the office of deputy.

A credentials certificate shall be issued to a registered candidate for the office of deputy to a local soviet.

### **Article 32. Abrogation of a Decision on Nominating a Candidate to the Office of Deputy to a Local Soviet. Removal by a Candidate of his Own Candidacy to the Office of Deputy**

A labor collective, collective of students and pupils, organ of a public organization, meeting of voters at their places of residence, military service personnel at their military units, which have nominated a candidate for the office of deputy, shall have the right at any time prior to the elections to abrogate their own decision on the nomination of a candidate for the office of deputy. A decision on this matter shall be made following the procedure provided for in nominating candidates for the office of deputy, and shall be submitted to the appropriate okrug electoral commission.

A candidate for the office of deputy may at any time prior to the elections remove his own name as a candidate by addressing a statement to this effect to the appropriate electoral commission.

The electoral commission shall inform the population of the election okrug of the abrogation of a decision on nominating a candidate for the office of deputy or on a candidate's removal of his own name as a candidate.

**Article 33. Procedure for Nominating Candidates for the Office of Deputy to Local Soviets to Replace Those Who Have Withdrawn**

In case of a withdrawal by a candidate for the office of deputy after the end of the registration period, if there are no other remaining candidates in the election okrug, and, if on the territory of a soviet where an okrug has not been formed, the number of remaining candidates is less than the number of deputies' seats, the appropriate electoral commission shall address a proposal to the labor collectives, collectives of students and pupils, public organizations, meetings of voters at their places of residence, and military personnel at their military units that they should nominate new candidates for the office of deputy. In case a candidate for the office of deputy withdraws less than 10 days prior to the elections, the elections of a deputy from the election okrug or on the territory of a soviet shall be conducted a month after the general elections.

Nomination of candidates for the office of deputy to replace those who have withdrawn shall be conducted following the procedure established by the present Law.

**Article 34. The Election Ballot**

Election ballots shall be printed in the languages which are used by the population of the election okrug and shall be supplied to the district electoral commissions no later than three days prior to the elections. In case the elections are held not by election okrugs, the election ballots, in addition to the above-mentioned data on the candidates to the office of deputy, shall indicate the number of deputies up for election to the appropriate soviet.

**VII. Guarantees of the Activities of Candidates for the Office of Deputy to Local Soviets**

**Article 35. The Right of Candidates for the Office of Deputy to Local Soviets to Participate in Election Campaigns**

Candidates for the office of deputy from the moment of their nomination shall participate in election campaigns on an equal footing.

Candidates for the office of deputy shall have the right to appear and speak at pre-election and other meetings, conferences, sessions, in the press, on television and radio.

State and public organs, the leading officials of enterprises, institutions, organizations, and organs of public, amateur groups shall be obligated to render a candidate for the office of deputy assistance in organizing meetings with voters, as well as in obtaining the necessary reference and informational materials.

**Article 36. Pre-Election Program of a Candidate for the Office of Deputy to a Local Soviet**

A candidate for the office of deputy shall come out with a program of his future activity. The program of a candidate for the office of deputy must not contradict the Kazakh SSR Constitution or other Laws of the USSR and the Kazakh SSR.

A candidate for the office of deputy, in case he is elected, shall be responsible to the voters for carrying out his pre-election program.

**Article 37. Agents of a Candidate for the Office of Deputy of a Local Soviet**

Candidates for the office of deputy may have up to three agents, who shall help him in conducting the election campaign, solicit votes for him to be elected deputy, represent his interests in interrelations with state and public organs, voters, and in the electoral commissions.

A candidate for the office of deputy shall specify his agents according to his wishes and report on their registration to the okrug electoral commission. After the agents have been registered, the electoral commission shall issue them credentials.

An agent cannot be a member of the corresponding oblast, rayon, city, municipal-okrug, settlement, village, aul, nor okrug or district electoral commission.

The powers of an agent may be cut short at any time either upon the proposal of the candidate for the office of deputy or upon his own statement. This shall be reported to the okrug electoral commission. The powers of agents of candidates for the office of deputy shall expire after the election results have been summed up.

**Article 38. Pre-Election Campaigning**

Candidates for the office of deputy shall hold meetings with their voters, either at gatherings or in other ways which are convenient for the voters. Such meetings of voters shall be organized by the appropriate electoral commissions or by their presidiums, or by the organs of public organizations. Voters shall be informed well ahead of time about the time and place for holding such gatherings and meetings.

Labor collectives, collectives of students and pupils, public organizations, voters at their places of residence, military service personnel at their military units, who have nominated candidates for the office of deputy shall be accorded the right to conduct an unhampered campaign for their candidates.

Citizens of the Kazakh SSR, labor collectives, and public organizations shall be guaranteed the opportunity to conduct a free and multi-faceted discussion of the political, business-like, and personal qualities of the candidates, as well as the right to campaign for or against a candidate at meetings, in the press, or on television and radio.

\*Pre-election campaigning should be conducted within the framework of a business-like, constructive discussion, excluding instances of a disrespectful attitude toward this or that candidate for the office of deputy.

Campaigning shall not be allowed on election day.

**Article 39. Freeing Up a Candidate for the Office of Deputy to a Local Soviet From Production or Service Duties So That He May Participate in Pre-Election Measures**

A candidate for the office of deputy, after registration, for the period of time spent in conducting meetings with voters, speeches at pre-election gatherings and political meetings, as well as on television and radio, shall be freed up for performing production or service duties with a retention of the average wages by means of funds to be allocated for conducting elections.

**Article 40. Right of a Candidate for the Office of Deputy to a Local Soviet to Free Travel**

A candidate for the office of deputy after being registered shall have the right to free travel on all types of passenger transportation (with the exception of taxis) within the limits of the appropriate soviet.

**Article 41. Inviolability of a Candidate for the Office of Deputy to a Local Soviet**

A candidate for the office of deputy cannot be held criminally liable on the territory of the appropriate soviet, arrested, or subjected to measures of an administrative search, imposed in a juridical procedure without the consent of the appropriate oblast, rayon, city, municipal-okrug, settlement, village, or aul electoral commission.

**VIII. Procedure for Voting and Summing Up Voting Results**

**Article 42. Time and Place of Voting**

In elections of deputies to the Kazakh SSR local soviets, voting shall be conducted on election day from 0700 hours to 2000 hours local time.

Oblast, rayon, city, municipal-okrug, settlement, rural, and aul electoral commissions, upon the proposal of the appropriate Soviet of People's Deputies or its presidium, or the district electoral commissions, may extend the time for voting in certain election districts where a portion of the voters, for job-related reasons, cannot take part in the voting during the time period established by the Law on Elections. In connection with this, voting may begin not earlier than 0600 hours and end not later than 2200 hours. The decision on changing the time of beginning and ending the voting at an election district shall be taken by the appropriate electoral commission not later than five days prior to the elections. The district

electoral commission shall inform the voters concerning the time and place of voting not later than five days prior to the elections.

At election districts formed on ships which are en route on election day, in military units, remote and difficult-to-reach regions, in hospitals and other stationary treatment institutions, a district electoral commission may declare the voting to be ended at any time if all the voters included on the list have cast their votes. The list of such districts shall be approved by the rayon, city, and municipal-okrug commissions not later than five days prior to the elections.

**Article 43. Organization of Voting**

Voting shall be conducted in rooms specially set aside for this purpose; they must be outfitted with a sufficient number of booths or rooms for secret balloting; places must be set aside for handing out election ballots, and the ballot boxes must be set up in such a way that the voters, when approaching them, are obliged to pass through booths or rooms for secret voting.

The responsibility for organizing voting, for guaranteeing secrecy in the voters' expression of their will, for outfitting the rooms and maintaining the proper order in them shall be borne by the district electoral commission.

On election day prior to the beginning of voting the ballot boxes shall be checked and sealed with lead or wax by the chairman of the district electoral commission in the presence of the commission members.

Each voter shall vote individually; voting for other persons is not allowed. The election ballots shall be handed out by the district electoral commission based on the list of voters, upon the presentation of a passport or other proof of identity. A note shall be made in the list of voters about the handing out of election ballots.

In case certain voters, for reasons of health or for other reasons, cannot come to the area for voting, the district electoral commission, at such persons' requests, shall assign certain commission members to organize voting at these voters' places of residence, and a note shall be made to this effect in the list of voters.

**Article 44. Conduct of Voting**

Elections ballots shall be filled out by voters in the booth or room set aside for secret voting. While the ballot is being filled out, the presence of any other person besides the voter shall be prohibited. A voter who lacks the capacity to fill out the ballot by himself shall have the right, at his own discretion, to invite into the booth or room for secret voting another person, with the exception of a member of the electoral commission.

A voter shall cross out on the ballot the last names of those candidates against which he is voting and then shall drop the filled-out ballot into the ballot box.

**Article 45. Tallying up the Votes at an Election District**

Tallying up the votes at an election district shall be conducted by the district electoral commission for each election okrug and for each candidate for the office of deputy.

The ballot boxes shall be opened up by the district electoral commission after the commission chairman has declared the voting to be ended. Opening up the ballot boxes prior to the end of voting shall be prohibited. Before opening up the ballot boxes, all the unused election ballots shall be counted up and canceled by the district electoral commission.

By the lists of voters, the district electoral commission shall ascertain the total number of voters in the district and the number of voters who have received ballots. Based on the ballots located in the ballot boxes, the district electoral commission shall ascertain the following for each election okrug (within the bounds of the given election district), and in the event that an election okrug has not been formed—on the territory on the settlement, village, or aul included within the election district: the total number of voters who have taken part in the voting, the number of votes cast for and the number of votes cast against each candidate for the office of deputy; and the number of ballots acknowledged to be invalid. Votes shall not be tallied for last names which have been written in on the election ballots by voters.

Also deemed invalid shall be election ballots of an unestablished model, those of another okrug, and ballots on which the names of more than one candidate have remained. In the event that election okrugs for electing deputies have not been formed, ballotsof an unestablished model or of another soviet shall be deemed invalid.

In case a ballot has the names of all the candidates for the office of deputy crossed out, it shall be deemed valid, i.e., the voter has voted against each and every candidate. If doubts arise about the validity of an election ballot, the problem shall be resolved by a vote of the district election commission.

The results of the vote tally shall be examined at a session of the district electoral commission and shall be entered in a document to be drawn up separately for each election okrug, and, the case the latter have not been formed, for the election district as a whole. The document shall be signed by the commission chairman, deputy chairman, secretary, and members, and it shall be immediately sent on to the appropriate okrug electoral commission.

**Article 46. Ascertaining Election Results for an Election Okrug**

The election results for an election okrug shall be ascertained by the appropriate okrug electoral commission.

Based on the documents of the district electoral commissions, the okrug electoral commission shall determine the following: the total number of voters for the okrug, the number of voters who received election ballots; the number of voters who took part in the voting; the number of votes cast for and the number of votes cast against each candidate for the office of deputy; and the number of ballots deemed invalid.

The election results for election okrugs to settlement, village, and aul Soviets of People's Deputies shall be ascertained by district electoral commissions.

A candidate shall be considered as elected to the office of deputy if he has received in the election more than half of the ballots cast by the voters who took part in the voting.

In case an election okrug has not been formed, the election results shall be ascertained by the appropriate settlement, village, or aul electoral commission, based on the documents submitted by the district electoral commissions. Moreover, those candidates shall be deemed elected who have received in the election the greatest number of votes in accordance with the number of seats and more than half the votes of voters who have taken part in the balloting.

An okrug electoral commission may deem elections invalid because of violations of the present Law allowed during the course of the elections or in tallying up the votes.

Elections shall be deemed inadequate if they have been participated in by less than half the voters entered upon the list of voters, as well as in connection with the withdrawal of a candidate for the office of deputy if only one candidate has been registered for the okrug.

The election results shall be entered in a document, which shall be signed by the commission chairman, deputy chairman, secretary, and members. This document concerning the election results for the election okrug shall be immediately sent on to the appropriate oblast, rayon, city, municipal-okrug, settlement, village, or aul electoral commission.

**Article 47. Registration of Deputies to Local Soviets**

An oblast, rayon, city, municipal-okrug, settlement, village, or aul electoral commission, with regard to electing or recalling deputies of local soviets, based on the documents concerning the election results, shall sum up the election results and conduct the registration of deputies elected to the local soviet.

An electoral commission may refuse to register a deputy and deem elections to be invalid if there were violations of the present Law during the course of the elections, or while the votes were being tallied up, or when the election results were being summed up.

#### **Article 48. Publishing Results of Elections of Deputies to Local Soviets**

The appropriate oblast, rayon, city, municipal-okrug, settlement, village, or aul electoral commission not later than the seventh day after the elections shall publish in the press or otherwise inform the voters about the results of electing deputies to the local soviets and the list of the elected deputies in alphabetical order, with an indication of the deputy's last name, first name, patronymic, post held (occupation), party status, education, place of employment and residence, election okrug from which he was elected as a deputy, number of votes cast for and number of votes cast against each candidate for the office of deputy, as well as a list of okrugs in which repeat voting or runoff elections will be held.

#### **Article 49. Certification and Chest Badges of Deputies to Local Soviets**

An okrug electoral commission, after publishing in the press a list of the deputies to the Kazakh SSR local soviets, registered by the appropriate oblast, rayon, city, municipal-okrug, settlement, village, or aul electoral commission, shall issue to each elected deputy a credentials certificate attesting to his election. In the event that an okrug has not been formed, the certificate attesting to the deputy's election shall be issued by the appropriate settlement, village, or aul electoral commission.

After the approval by the soviet of the elected deputies' powers, the certificates which were issued to them attesting to their having been elected to the office of deputy shall be replaced by a deputy's credentials to the appropriate local soviet. A deputy shall also be issued a chest badge.

#### **IX. Runoff, Repeat Elections, Elections of Deputies to Local Soviets To Replace Deputies Who Have Been Withdrawn, Elections to Newly Formed Administrative-Territorial Units**

##### **Article 50. Runoff Elections**

If in an election okrug ballots were cast for more than two candidates for the office of deputy, and none of them was elected, the okrug electoral commission shall take a decision to conduct runoff elections in the okrug on the two candidates for the office of deputy who received the greatest number of votes. The okrug electoral commission shall communicate this decision to the appropriate, higher-ranking, electoral commission and shall inform the okrug's voters.

Runoff elections in elections for deputies to settlement, village, or aul soviets in which an election okrug has not been formed shall be conducted in the even that an equal number of votes was cast for certain candidates for the office of deputy, and it cannot be determined who shall be the elected deputy. runoff elections shall be conducted not later than two weeks after the requirement of the present Law has been observed.

That candidate for the office of deputy shall be deemed elected who has received in the runoff elections the greatest number of votes from voters in relation to the other candidate from among the voters taking part in the voting.

If during the runoff elections one of the candidates withdraws for whatever reason, voting shall be conducted for the one, remaining candidate. In this connection, in order to be elected, the candidate for the office of deputy must receive more than half of the votes from among the voters taking part in the voting.

Runoff elections shall be conducted by the appropriate okrug and district electoral commissions with the same membership as before, in the same election districts, and with the same lists of voters.

##### **Article 51. Repeat Elections**

If in an election okrug ballots were cast for no more than two candidates for the office of deputy, and neither one of them was elected, or the elections in the election okrug were deemed to be inadequate or invalid, or runoff elections did not allow a determination to be made of an elected deputy, then the appropriate electoral commission shall take a decision regarding the conduct of repeat elections in the election okrug. Moreover, it can adopt a decision on the need to conduct elections to form a new membership of the okrug and district electoral commissions.

If in the elections of deputies to a settlement, village, or aul soviet where an election okrug has not been formed, the number of deputies has proved to be less than the number of deputies' seats, or the elections have been deemed inadequate or invalid, or the runoff election has not allowed an elected deputy to be determined, the settlement, village, or aul electoral commission shall take a decision regarding the conduct of repeat elections. During the repeat elections the inadequate number of deputies shall be elected, or all the deputies if the elections were deemed inadequate or invalid.

Repeat elections shall be conducted within a two-month time frame after the general elections.

The appropriate electoral commission shall set the repeat elections not later than a month prior to their being conducted. The voting shall be conducted in the same election districts and with the same lists of voters as were drawn up for conducting the general elections.

The lists of voters must include citizens who have come during this period for permanent or temporary residence, as well as those persons who have reached the age of 18 years by or on election day in the given election okrug.

The formation of electoral commissions, nomination and registration of a candidate for the office of deputy, and other measures shall be conducted following the procedure established by the present Law.

Candidates who have failed to receive the necessary number of votes and have not been elected as deputies shall not be on the ballots for repeat elections.

**Article 52. Conducting Elections of Deputies to Local Soviets in Order to Replace Those Candidates Who Have Withdrawn**

In the event that the appropriate Soviet of People's Deputies deems the powers of certain deputies to be invalid, as well as in case a deputy is recalled, or the curtailment of a deputy's powers for other reasons before his term has expired, new elections shall be conducted within a three-month time frame from the moment of the deputy's withdrawal. Such elections shall be set by the appropriate oblast, rayon, city, municipal-okrug, settlement, village, or aul electoral commissions not later than a month prior to their conduct and shall be organized with the observance of the requirements of the present Law. Moreover, the okrug electoral commission shall be formed not later than the third day, and the district electoral commission—not later than the fifth day—after the elections have been set. Nomination of candidates for the office of deputy shall begin on the fifth day and shall end on the twelfth day after the elections have been set. Registration of candidates for the office of deputy shall end 15 days prior to the elections.

In case a deputy withdraws less than a year prior to the expiration of the powers of the Soviet of People's Deputies, the election of a deputy to replace the one withdrawn shall not be conducted.

**Article 53. Conducting Elections of Deputies to Local Soviets in Newly Formed Administrative-Territorial Units**

Elections of deputies to local soviets in newly formed administrative-territorial units shall be conducted in cases where the formation of a Soviet of People's Deputies is impossible in view of the lack or insufficient number of deputies for an appropriate soviet, elected from the election okrugs on the territory included within the newly formed oblast, rayon, city, municipal-okrug, workers' settlement, village soviet, or aul soviet.

The elections of deputies to oblast soviets shall be set by the Kazakh SSR Supreme Soviet or its presidium, while elections to the rayon, city, municipal okrug, settlement, village, and aul Soviets of People's Deputies shall be set by the higher-ranking Soviet of People's Deputies or its presidium, and shall be conducted not later than three months from the day when the administrative-territorial unit is formed. Elections shall be conducted following the procedure established by the present Law.

The formation of election okrugs and approval of the composition of the electoral commissions shall be conducted appropriately by the oblast, rayon, city, municipal-okrug, settlement, village, and aul electoral commissions, which shall be approved by the higher-ranking Soviet of People's Deputies or its presidium.

**X. Certifying Elections of Deputies to Local Soviets. Forms of Election Documents and the Procedure for Storing Them. Models of Chest Badges and Ballot Boxes**

**Article 54. Forms of Election Documents, Models of Chest Badges and Ballot Boxes**

The form of a list of voters, documents of electoral commissions, forms and color of election ballots, forms for certifying a candidate for the office of deputy, models of a chest badge for a deputy to a local soviet, as well as a ballot box, shall be established by the Kazakh SSR Supreme Soviet Presidium.

**Article 55. Procedure and Time Frame for Storing Election Documents**

The clerical work of the electoral commissions for electing deputies to the local soviets shall be transmitted by the electoral commissions, upon the termination of their work, to the organs which approved the membership of the appropriate commissions.

The procedure and time frame for storing the election documents shall be established by the Kazakh SSR Supreme Soviet Presidium.

**Kirghiz SSR**

**Kirghiz SSR Draft Law on Elections of People's Deputies for Local Soviets**

*18300800A Frunze SOVETSKAYA KIRGIZIYA  
in Russian 15 Aug 89 pp 3, 4*

[“Draft Law of the Kirghiz Soviet Socialist Republic on Elections of Deputies of Local Kirghiz SSR Soviets of People's Deputies”]

**[Text] I. General Provisions**

**Article 1. Fundamentals of Elections of the Deputies of the Kirghiz SSR Soviets of People's Deputies**

The deputies of the local Kirghiz SSR Soviets of People's Deputies are elected for a term of five years for single-mandate or multi-mandate election districts on the basis of universal, equal and direct suffrage in secret voting.

**Article 2. Universal Suffrage**

The elections of the deputies of oblast, rayon, city, city rayon, settlement and rural Kirghiz SSR Soviets of People's Deputies are universal: All citizens of the Kirghiz SSR, who have reached the age of 18, have the right to elect and be elected.

Any kinds of direct or indirect restrictions of the electoral rights of Kirghiz SSR citizens depending on origin, social and property status, racial and nationality membership, sex, education, language, attitude to religion, family, and character of occupation are prohibited.

The following do not take part in elections: Citizens who are mentally ill, who have been declared to be unable to function by a court, persons who are being held in prison, as well as those who, by decision of the court, are sent to places of compulsory treatment.

### **Article 3. Equal Suffrage**

Elections of deputies of the local Kirghiz SSR Soviets of People's Deputies are equal; the voter for every election district has one vote; the voters and candidates for deputy take part in the elections on an equal basis.

Women and men have equal voting rights.

Servicemen have voting rights equally with all citizens.

### **Article 4. Direct Suffrage**

Elections of deputies of the local Kirghiz SSR Soviets of People's Deputies are direct; deputies are elected by the citizens directly.

### **Article 5. Secret Voting.**

Voting in the elections of deputies of the local Kirghiz SSR Soviets of People's Deputies is secret; monitoring of the will of the voters is not permitted.

### **Article 6. Conduct of the Elections by the Election Commissions**

The conduct of elections of the local Kirghiz SSR Soviets of Deputies is guaranteed by the election commissions, which are formed by representatives of labor collectives, the collectives of students, university students, and teachers, public organizations, and meetings of voters at the place of residence and the servicemen in military units.

### **Article 7. Glasnost in the Preparation and Conduct of the Elections of Deputies of the Local Kirghiz SSR Soviets of People's Deputies**

The preparation and conduct of the elections of deputies of the local Kirghiz SSR Soviets of People's Deputies are conducted by the election commissions, labor collectives, collectives of students, university students, teachers, and public organizations in an open and public manner.

The election commissions inform the citizens about their work, about the formation of election districts and districts, about the composition, the location and the time of work of the election commissions, and the lists of voters. The election commissions inform the citizens about the nomination of candidates, the results of the registration of candidates for deputy, biographical information about the registered candidates and the fundamental basic provisions of their election programs, and the results of the voting on each candidate and the results of the elections.

The representatives of the labor collectives, collectives of students, university students and teachers, public organizations, meetings of voters, and persons empowered to act for others, as well as representatives of the press, television and radio.

The powers of the indicated representatives are ascertained through an appropriate document. The appropriate election commissions must be informed no later than two days before the elections about the inclination of representatives to be present on the day of the elections in the voting premises or in the sessions of the election commissions.

The mass media elucidate the course of the preparation and conduct of the elections of deputies of the local Kirghiz SSR Soviets of People's Deputies, they are guaranteed unimpeded access to all meetings and sessions connected with the elections. The election commissions, state and public organs, labor collectives, collectives of students and university students and teachers, upon request, provide them with information connected with the preparation and the conduct of the elections.

### **Article 8. Participation of Citizens, Labor Collectives, Collectives of Students, University Students and Teachers, and Public Organizations in the Preparation and Conduct of the Elections of Deputies of the Local Soviets of People's Deputies**

The citizens of the Kirghiz SSR take part in the preparation and conduct of the elections of deputies of the local Kirghiz SSR Soviets of People's Deputies through labor collectives of students, university students and teachers, public organizations, meetings of voters at the place of residence and servicement in military units, as well as directly.

Labor collectives, collectives of students, university students and teachers, public organizations (the Communist Party of the Soviet Union, trade unions, the All-Union Komsomol, women's association, war and labor veterans associations, cooperatives and others created in accordance with the procedure established by law) take part in the preparation and conduct of elections of deputies of the local Kirghiz SSR Soviets of People's Deputies both through their representatives in the election commissions and directly.

### **Article 9. The Right to Nominate Candidates for Deputy of the Local Kirghiz SSR Soviets of People's Deputies**

The right to nominate candidates for deputies of local Kirghiz SSR Soviets of People's Deputies belongs to labor collectives, collectives of students, university students and teachers, public organizations, meetings of voters at the place of residence, and servicemen in military units.

The Soviets of People's Deputies and their presidia, at their discretion, determine the minimum number of members of the labor collectives and the number of

voters at the place of residence, which have the right to nominate candidates for deputy.

**Article 10. Voters' Mandates to Deputies of Local Kirghiz SSR People's Deputies**

The voters give mandates to their deputies.

The procedure for the introduction, generalization, consideration, and organization of the fulfillment of the mandates is established by a Kirghiz SSR law.

**Article 11. Incompatibility of the Status of Deputy of Local Kirghiz SSR Soviets of People's Deputies with Official Position**

Persons who are members of the executive committees of local Kirghiz SSR Soviets of People's Deputies, with the exception of the chairmen of these organs, the directors of departments and administrations of the executive committees of local Soviets, judges, and state arbiters cannot be deputies in the soviet by which they are appointed or elected.

**Article 12. Expenditures Connected with Elections of Deputies of Local Kirghiz SSR Soviets of People's Commissars. Material Guarantee of Elections**

Expenditures connected with the preparation and conduct of elections of deputies of local Kirghiz SSR Soviets of People's Deputies are effected at the expense of the state.

Enterprises, institutions and organizations, state and public organs put premises, equipment, and means of transportation necessary for the preparation and conduct of the elections at the disposition of the election commissions.

Candidates to deputy of the local Kirghiz SSR Soviets of People's Commissars, the persons empowered by them, and the voters do not bear the expenditures connected with the preparation and conduct of elections.

**Article 13. Responsibility for the Violation of Legislation on Elections of Deputies of Local Kirghiz SSR Soviets of People's Deputies**

Persons who, through force, deception, threats or another method, impede the free realization, by the citizen of the Kirghiz SSR, of the right to vote and be elected deputy of the local Kirghiz SSR Soviets of People's Deputies and to conduct an election campaign, as well as officials of state and public organs who have committed forgery of election documents, the deliberately incorrect count of votes and who have violated the secrecy of voting or who have permitted other violations of the present Law, bear the responsibility established by law. Also held responsible will be persons who have published, or through another method have disseminated, false information about a candidate for deputy.

**II. Procedure for the Scheduling of Elections and the Formation of Election Okrugs**

**Article 14. The Scheduling of Elections of Deputies of Local Kirghiz SSR Soviets of People's Deputies**

Elections of deputies of local Kirghiz SSR Soviets of People's Deputies are scheduled by the Kirghiz SSR Supreme Soviet no later than three months before the expiration of the term of office of the deputies of the local Kirghiz SSR Soviets of People's Deputies.

Information about the day of elections is published in the press.

**Article 15. Formation of Election Okrugs**

For elections of deputies of local Kirghiz SSR Soviets of People's Deputies, election okrugs are formed:

- to the oblast Soviet of People's Deputies—from 100 to 150 election okrugs;
- to the rayon Soviet of People's Deputies—from 25 to 75 election okrugs;
- to the city Soviet of People's Deputies of cities of republic and oblast subordination—from 50 to 100 election okrugs;
- to the city rayon Soviet of People's Deputies—from 25 to 50 election okrugs;
- to the city Soviet of People's Deputies of rayon subordination—from 25-50 election okrugs;
- to the settlement or rural Soviet of People's Deputies—from 10 to 30 election okrugs.

Within the limits of the norms established by the present Law, the number of election okrugs for elections in every oblast Soviet of People's Deputies, the rayon and city Soviet (of rayons and cities of republic subordination) is determined by the local Soviet of People's Deputies, proceeding from the number of voters, the dimensions of territory, and in the city Soviet of rayon subordination, in the settlement and rural Soviet—by the higher Soviet. Lists of the election okrugs for every okrug are published in the press.

The election okrugs are formed by corresponding administrative-territorial election commissions, as a rule, with an equal number of voters in the entire territory being united by the given Soviet of People's Deputies upon presentation of its presidium.

The elections of deputies to the oblast soviets and the Frunze City Soviet of People's Deputies may be carried out on the basis of single-mandate election okrugs.

The elections of deputies of rayon, city, urban rayon, settlement, and rural Soviets of People's Deputies are carried out both on the basis of single-mandate and multi-mandate okrugs.

Multi-mandate election okrugs are formed within the boundaries of individual or nearby localities, microrayons, and streets.

Lists of election okrugs, with indication of their boundaries and whereabouts are published by the corresponding administrative-territorial election commission no later than 15 days after the scheduling of the elections.

### III. Election Districts

#### Article 16. Formation of Election Districts

For the conduct of voting and counting of the votes, the territory of rayons, cities, city rayons, which go to make up the election okrugs, is divided into election districts. Election districts are formed also in the military units and go to make up the election okrugs in the location of military units. In sanatoria and holiday homes, in hospitals and other stationary medical institutions, in places where citizens are located in remote regions and regions difficult of access, election districts can be formed which make up election okrugs in the place of their location.

#### Article 17. Procedure and Norm for the Formation of Election Districts

Election districts are formed by the rayon, city (except cities of rayon subordination), and city rayon Soviets of People's Deputies or their presidia by agreement with the corresponding administrative-territorial election commissions. In the military units, election districts are formed by the local Soviets of People's Deputies or their presidia upon representation of the commanders of units or military formations.

Election districts are formed no later than two months before the elections. In military units, as well as in remote regions and regions difficult of access, election districts are formed in the same term, and in exceptional cases—no later than five days before the elections.

Election districts are formed with a number of not less than 20 and not more than 3,000 voters. In exceptional cases, the local Soviet of People's Deputies or its presidium have the right to an election vote with a larger number of voters.

The corresponding local Soviet of People's Deputies or its presidium informs the voters about the boundaries of every election district with indication of the location of the district election commission and the premise for voting.

### IV. Election Commissions

#### Article 18. The System of Election Commissions

For the conduct of elections of deputies of oblast, rayon, city, city rayon, settlement, and rural Kirghiz SSR Soviets of People's Deputies, administrative-territorial election commissions are formed:

- In the oblast, rayon, city, city rayon, settlement and rural soviet—correspondingly the oblast, rayon, city, city rayon, settlement and rural election commission;
- in the election district—the district election commission.

#### Article 19. Formation of Administrative-Territorial Election Commissions for Elections of Deputies of the Local Kirghiz SSR Soviets of People's Deputies

Oblast, rayon, city, city rayon, settlement and rural administrative-territorial election commissions for elections of deputies of the local Kirghiz SSR Councils of People's Commissars are formed in the following composition:

- Oblast—11-15 member, rayon, city, city rayon—9-11 member, settlement and rural—5-9 member commissions.

The representatives for membership in the election commissions are nominated by labor collectives, collectives of students, university students and teachers, or by their soviets, oblast, rayon, city, and city rayon organs of public organizations, by meetings of voters at their place of residence, and by servicemen in military units.

The structure of the election commissions is formed by the corresponding Soviets of People's Deputies or their presidia no later than 10 days after the scheduling of the elections.

#### Article 20. Powers of the Administrative-Territorial Election Commission for Elections of Deputies of the Local Kirghiz SSR Soviets of People's Deputies

The oblast, rayon, city, city rayon, settlement and rural administrative-territorial election commission:

- 1) Carries out, on the territory of the oblast, rayon, city, city rayon, settlement, and selsoviet, supervision of the execution of the present Law and guarantees its uniform application;
- 2) directs the activity and hears reports of the district election committees;
- 3) hears reports of the executive and administrative organs of the local Soviets of People's Deputies and the directors of enterprises, institutions, and organizations on questions connected with the preparation and the conduct of the elections;
- 4) supervises the composition of the lists of voters and the representation of them for general acquaintance;
- 5) organizes the nomination of candidates for deputy;
- 6) establishes the results of the elections for the election okrug;

7) registers the candidates nominated for deputy, the persons empowered by them, and issues them corresponding certifications, guarantees the publication of posters with biographic data about candidates for deputy;

8) organizes, jointly with labor collectives, collectives of students, university students and teachers, and public organizations, meetings of the candidates for deputy with voters in these collectives, as well as at the place of their residence;

9) approves the texts of election bulletins for the election okrugs of the corresponding territories of the oblast, rayon, city, city rayon, settlement, and selsoviet; supplies the district election commissions with ballot-papers;

10) registers the elected deputies, sums up the election results, publishes information about the election results and the list of elected deputies of the corresponding local Kirghiz SSR Soviet of People's Deputies in the press;

11) transmits to the mandate commission of the corresponding local Soviet of People's Deputies documentation necessary for the verification of the powers of the deputies;

12) reviews applications and complaints about the incorrect solution and action of the district election commissions and takes decisions with respect to them;

13) solves questions connected with the realization of a recall of a deputy;

14) solves and organizes the execution of runoff elections and repeat elections;

15) carries out other powers in accordance with the present Law.

#### **Article 21. Formation of District Election Commissions**

The district election commission is formed no later than 30 days before the elections with a membership of 3-19 members.

Representatives for membership in the district election commission are nominated by labor collectives or their soviets, collectives of students, university students and teachers, rayon, city, city rayon organs of public organizations, their primary organizations, organs of public independent action of the population, meetings of voters at the place of residence, and servicemen in military units.

The district election commissions are confirmed by the rayon, city (except cities of rayon subordination), and city rayon Soviets of People's Deputies or their presidia.

#### **Article 22. Powers of the District Election Commission**

The district election commission:

1) Compiles lists of voters by district;

2) acquaints the voters with the list of voters, accepts and reviews statements about errors in the list and decides the question of the introduction of corresponding changes in it;

3) accepts, from voters intending to be absent from their place of residence on the day of the elections or from the persons empowered by them, ballot-papers or ballot envelopes;

4) informs the population about the day of the election and the place of voting;

5) secures the preparation of the premise for voting and election boxes;

6) organizes the voting in the election district on the day of the elections;

7) carries out the count of votes cast in the election district;

8) reviews statements and complaints in regard to questions of the preparation of elections and the organization of voting in the election district and takes decisions with respect to them;

9) realizes other powers in accordance with the present Law.

#### **Article 23. Organization of the Work of the Election Commissions**

The chairman, deputy chairman, and secretary of the election commission are elected at a session of the corresponding commission.

Sessions of the election commission are convened by its chairman and are competent if no less than two-thirds of the membership of the commission are present. The decisions of the commissions are taken by an open vote by the majority of the votes of the total membership of the commission. The members of the commission who do not agree with its decisions have the right to express a separate opinion, which in written form is appended to the protocol. The protocol with the separate opinion is sent to the higher election commission for review.

The decisions of the election commissions, adopted within the limits of their powers, are obligatory for execution by all state and public organs, enterprises, institutions and organizations.

Decisions and actions of the election commission in the cases provided for by the Law can be appealed to the court.

One of the members of the election commission, by its decision, during the preparation and conduct of the elections, is freed from the execution of production and office obligations with retention of the average salary at the expense of the funds allotted for the conduct of the elections.

A member of the election commission does not have the right to take part in agitating for or against candidates for people's deputy.

**Article 24. Assistance to Election Commissions in the Realization of Their Powers**

State and public organs, enterprises, institutions, organizations, and officials are obliged to assist the election commissions in the realization, by them, of their powers, to provide them with the information and materials necessary for their work.

The election commission has the right to turn with questions connected with the preparation and the conduct of the elections to state and public organs, enterprises, organizations, and officials, who are obliged to examine the question raised and to give the election commission an answer no later than within a three day period.

**V. Lists of Voters**

**Article 25. List of Voters and the Procedure for Its Compilation**

A list of voters is compiled for every election district and is signed by the chairman and the secretary of the district election commission of the district election commission. For participation in the work on the compilation of the list, the district election commission can involve representatives of the public.

The executive committees of the city, city rayon, settlement and rural Soviets of People's Deputies secure the registration of the voters, transmit to the district election commissions information about the voters living on the respective territory that is necessary for the compilation of the lists of voters.

The lists of servicemen-voters who find themselves in military units, as well as the lists of the families of servicemen and other voters, if they live in the regions where military units are located, are compiled on the basis of information supplied by the commanders of military units. Servicemen who live outside of military units are included in the lists of voters at the place of residence on general grounds.

Lists of voters for election districts formed in sanatoria, holiday homes, hospitals and other stationary medical institutions, are compiled on the basis of information supplied by the directors of the indicated institutions.

The surnames of the voters are indicated in the list of voters in the order that is convenient for the organization of voting.

**Article 26. Procedure for Including Citizens in the List of Voters**

In the list of voters are included all citizens of the Kirghiz SSR who have attained, by the day or on the day of the elections, the age of 18, who, at the moment of the compilation of the list, live on territory of the given election district and have the right to take part in the voting.

The voter cannot be included in the list of voters in another election district.

The district election commission can include a voter in the list on the basis of his personal declaration and on presentation of the passport or another document certifying the identity of the citizen if the voter came to a new place of residence after the submission of the lists of voters for general acquaintance. The voters living on the territory of the given election district and for some reason omitted in the list are included in it by decision of the district election commission.

**Article 27. Acquaintance of Citizens with the Lists of Voters and the Right to Appeal Errors in the List of Voters**

Lists of voters are presented for general acquaintance 15 days prior to the elections, but in the election districts formed in sanatoria and holiday homes, hospitals and other stationary medical institutions, and rayons which are remote and difficult of access, two days before the elections.

Citizens are guaranteed the possibility of familiarizing themselves with the list of voters and to verify the correctness of its composition in the premise of the district election commission.

Every citizen is granted the right to appeal the non-inclusion, the incorrect inclusion, or the exclusion from the list, as well as inaccuracies about the voter permitted in the list. A statement about irregularities in the list is reviewed by the district election commission, which is obligated, no later than within a two week period, and on the eve of the election and on the day of the election immediately, to review the statement and to introduce the necessary corrections in the list or to give to the declarant a copy of the reasoned decision explaining the denial of his application.

The decision of the war election commission may be appealed to the rayon (city) people's court no later than five days before the elections, which is obligated to review the appeal within a three day period. The decision of the rayon (city) people's court is final. A correction in the list of voters in accordance with a court decision is effected immediately by the district election commission.

## VI. Nomination and Registration of Candidates for Deputy of Local Kirghiz SSR Soviets of People's Deputies

### Article 28. Procedure for the Nomination of Candidates for Deputy of the Local Kirghiz SSR Soviets of People's Deputies

The nomination of candidates for deputy of the local Kirghiz SSR Soviets of People's Deputies begins two months and ends one month before the elections.

The nomination of candidates for deputy is effected at meetings (conferences) of labor collectives, collectives of students, university students and teachers. The nomination of candidates for deputy from public organizations is carried out by oblast, rayon, city, and city rayon organs.

Meetings of voters at the place of residence for the nomination of candidates for deputy are called by the corresponding soviets or their presidia, jointly with the election commissions.

Meetings of servicemen for the nominations of candidates for deputy are called by the command of the military units.

At the meetings, conditions are created for the nomination of an unlimited number of candidatures. Every participant in a meeting has the right to introduce proposals concerning candidates for deputy, to take part in their discussion, to support candidatures being proposed or to introduce proposals concerning their recall. A participant in a meeting may propose for discussion his own candidature as candidate for deputy. The decision concerning the nomination of a candidate for deputy is taken through an open or secret vote at the meeting. The procedure for voting is established by the meeting.

A candidate is considered nominated if more than half of the participants of the meeting or the majority of the participants of the total membership of the corresponding organ of the public organization have voted for him. A protocol is composed about the nomination of a candidate for deputy, which within three days is submitted to the corresponding administrative-territorial election commission. The candidate for deputy is informed about the decision taken no later than within a two day period.

A citizen of the Kirghiz SSR cannot simultaneously be a people's deputy in more than two Soviets of People's Deputies.

### Article 29. The Registration of Candidates for Deputy of the Local Kirghiz SSR Soviets of People's Deputies

Candidates for deputy of the local Kirghiz SSR Soviets of People's Deputies are registered by the corresponding administrative-territorial election commission upon the

recommendation of labor collectives, collectives of students and teachers, organs of public organizations, meetings of voters at their place of residence, servicemen in military units, and the candidates nominated for deputy.

The registration of candidates for deputy begins two months and ends 20 days before the elections.

The decision concerning the registration of candidates for deputy is taken in the presence of the following documents: The protocols of the meetings for the nomination of candidates for deputy for the given election okrug, as well as a statement of the candidates for deputy about their agreement to be a candidate for the given election okrug. Persons enumerated in Article II of the present Law, upon their nomination as candidates for deputy, in their statements indicate their intention to vacate positions being occupied by them in case of their election as deputies or communicate the withdrawal of their candidatures. The election commission composes a protocol about the registration of candidates for deputy.

The corresponding election commission registers the candidates for deputy who are nominated with observance of the requirements of the present Law. Refusal to register can be appealed within a two day period to the Soviet of People's Deputies or its presidium, to which he is nominated.

A candidate for deputy can simultaneously stand for election in only one election okrug.

A report about the registration of candidates for deputy with indication of information about the registered candidates is published in the press of the corresponding administrative-territorial election commission no later than on the 4th day after registration, with indication of the surname, name, patronymic, year of birth, position held (profession), place of work and residence for every candidate for deputy.

A candidate for deputy cannot simultaneously be a member of an administrative-territorial and a district election commission, where he is nominated as a candidate. A person who is nominated as candidate to deputy and is a member of one of the indicated commissions is released from his obligations in the commission from the moment of his registration as candidate for deputy.

### Article 30. Abolition of a Decision Concerning the Nomination of a Candidate for Deputy of the Local Kirghiz SSR Soviet of People's Deputies. A Candidate's Withdrawal of His Candidacy

The labor collective, the collective of students, university students and teachers, the organ of a public organization, the meeting of voters at the place of residence, and the servicemen of military units, which have nominated a candidate for deputy of the local Kirghiz SSR Soviet of People's Deputies, have the right at any time before the elections to revoke their decision about the nomination of the candidate for deputy. The decision in this question is taken in accordance with the procedure provided for

the nomination of a candidate for deputy, and is recommended to the corresponding administrative-territorial election commission.

A candidate for deputy, at any time before the elections, may withdraw his candidature, having turned with a declaration to this effect to the corresponding administrative-territorial election commission.

The voters of an election okrug are informed by the corresponding administrative-territorial election commission about the revocation of a decision about the nomination of a candidate for deputy or about the withdrawal of his candidature.

#### **Article 31. Procedure for Nomination of Candidates for Deputy of Local Kirghiz SSR Soviets of People's Deputies in Place of Candidates Who Have Dropped Out**

In the case where a candidate for deputy of the local Kirghiz SSR Soviets of People's Deputies drops out after the end of registration of candidates for deputy, if no other candidates remain in a single-mandate election okrug, and in a multi-mandate election okrug fewer candidates remain than there are deputy mandates, the corresponding administrative-territorial election commission turns to labor collectives, collectives of students, university students and teachers, public organizations, meetings of voters at their place of residence, and servicemen in military units with a proposal to nominate new candidates for deputy. In the case where candidates for deputy quit less than 15 days before the elections, the elections of the deputy from the corresponding election okrug are held within a two month period after the general elections.

#### **Article 32. The Ballot-Paper**

In the ballot-paper are included in alphabetical order all registered candidates for deputy of the local Kirghiz SSR Soviets of People's Deputies with indication of the surname, name, and patronymic, office held (profession), place of work and residence of every candidate for deputy. The ballot-papers are printed in the Kirghiz language and in the languages used by the majority of the population of the election okrug.

#### **VII. Guarantees of the Activity of the Candidates for Deputy of the Local Kirghiz SSR Soviets of People's Deputies**

##### **Article 33. The Right of the Candidate for Deputy of the Local Kirghiz SSR Soviets of People's Deputies to Speak at Meetings, to Use the Mass Media, and to Obtain Information**

Candidates for deputy of the local Kirghiz SSR Soviets of People's Deputies from the time of their registration by the corresponding administrative-territorial election commissions have an equal right to take part in and to speak at election and other meetings, conferences, sessions, in the press and on television and the radio.

State and public organs, the directors of enterprise, institutions and organizations, organs of public independent action of the population, located on the territory of the election okrug, are obligated, to extend to the candidate for deputy, assistance in the organization of meetings with voters, in obtaining the necessary information materials.

##### **Article 34. The Election Program of the Candidate for Deputy of the Local Kirghiz SSR Soviet of People's Deputies**

The candidate for deputy of the local Kirghiz SSR Soviet of People's Deputies comes forward with a program of his future activity. The program of the candidate for deputy must not contradict the USSR Constitution, the Kirghiz SSR Constitution, and Soviet laws.

##### **Article 35. Persons Empowered by the Candidate for Deputy of the Local Kirghiz SSR Soviet of People's Deputies**

A candidate for deputy of the local Kirghiz SSR Soviet of People's Deputies may have up to three persons empowered by him, who help him in the conduct of the election campaign, agitate for his election to deputy, and represent his interests in the interrelations with state and public organs, voters, and members of public organizations, as well as in the election commissions.

The candidate for deputy determines the people empowered by them at their discretion and reports them for registration to the corresponding administrative-territorial election commission.

A person empowered [by a candidate for deputy] may not be a member of an election commission.

##### **Article 36. Election Campaign**

Labor collectives and voters at the place of residence, who have nominated candidates for deputy, are given the right to campaign for their candidates.

Labor collectives, collectives of students, university students and teachers, and voters at the place of residence are given equipped premises for gatherings and meetings, as well as mass media for the conduct of the election campaign.

The citizens of the Kirghiz SSR, the labor collectives, the collectives of students, university students and teachers, and the public organizations are guaranteed the possibility of free and comprehensive discussion of the political, business, and personal qualities of the candidates for deputy, as well as the right to campaign for or against candidates at meetings, in the press, on television and on radio.

Candidates for deputy of the local Kirghiz SSR Soviets of People's Deputies hold meetings at assemblies at the place of work and residence of the voters. The meetings

of the voters are organized by the election commission jointly with the corresponding Soviet of People's Deputies or its presidium.

The time and place where assemblies and meetings are conducted are communicated to the voters in good time, but no later than one day before they are held.

Campaigning on the day of the elections is not permitted.

**Article 37. Release of Candidate for Deputy of the Local Kirghiz SSR Soviet of People's Deputies from Production or Office Obligations for Participation in Election Measures**

The candidate for deputy of the local Kirghiz SSR Soviet of People's Deputies, after registration for the time of the holding of meetings with voters, speeches at election assemblies and meetings, on television and radio, is released from the discharge from production or office obligations. The expenditures of the candidate for deputy for the conduct of the election campaign are compensated by the corresponding administrative-territorial election commission on the scale and in accordance with the procedure established by the Presidium of the Kirghiz SSR Supreme Soviet.

**Article 38. The Right of the Candidate for Deputy of the Local Kirghiz SSR Soviet of People's Deputies to Free Passage**

After registration, the candidate for deputy of the local Kirghiz SSR Soviet of People's Deputies has the right to free passage on all types of passenger transport (with the exception of taxis) within the boundaries of the corresponding election okrug. The candidate for deputy who lives outside of the boundaries of the election okrug has the same right to passage into the election okrug and to return to his place of residence.

**Article 39. Immunity of the Candidate for Deputy of the Local Kirghiz SSR Soviet of People's Deputies**

The candidate for deputy of the local Kirghiz SSR Soviet of People's Deputies cannot have criminal proceedings instituted against him, be arrested, or subjected to measures of administrative penalties, imposed in judicial proceedings, without the consent of the corresponding administrative election commission.

**VIII. Procedure for Voting and Summing Up the Election Results**

**Article 40. Time and Place of Voting**

Voting takes place on the day of the elections from 7 am to 8 pm local time. Voters are informed about the time and place of voting by the district election commission no later than 10 days before the elections.

In election districts formed in military units and in remote regions and regions difficult of access, the district

election committee may declare the voting closed at any time if all voters included on the list have voted.

**Article 41. Organization of Voting**

Voting is carried out in premises specially set aside, in which there must be booths and rooms in sufficient quantity equipped for secret voting, where places have been designated for issuing ballot-papers, and where ballot boxes have been set up. Ballot boxes are set up in such a way that voters, in approaching them, must go through a room for secret voting.

Responsibility for the organization of voting, the guarantee of the secrecy of the voters' will, the equipment of the premises and the maintenance of the necessary order in them is borne by the district election commission.

On the day of the elections, before the beginning of the voting, the ballot boxes are checked and sealed by the chairman of the district election commission in the presence of all members of the commission.

Every voter votes personally; voting for other persons is not permitted. The ballot-papers are issued by the war election commission on the basis of the list of voters of the election district upon presentation of a passport or other certification of identity. The giving out of ballot-papers is noted in the list of voters.

In case where some voters, for reasons of their state of health or for other reasons, cannot come to the premise to vote, the district election committee, upon their request, charges individual members of the commission to organize voting wherever these voters are.

**Article 42. Conduct of Voting**

The ballot-papers are filled out by the voter in the booth or the room for secret voting. During the filling out of the ballot-papers, the presence of anyone besides the voter. The voter who does not have the possibility of filling out the ballot-papers independently has the right to invite, at his discretion, another person into the booth or the room for secret voting, besides a member of the election commission.

The voter, in filling out every ballot-paper, leaves on it the surname of the candidate for whom he is voting, crossing out the surnames of the rest. Voting is carried out by the voter by putting the ballot-paper into the ballot box.

**Article 43. Vote Count in the Election district**

The vote count in the election district is carried out separately for every election okrug and for every candidate for deputy.

The ballot boxes are opened by the district election commission after the announcement of the end of voting by the chairman of the commission. The opening of ballot boxes before the end of voting is prohibited.

Before the opening of the ballot boxes, the unissued ballot-papers are counted and are cancelled by the district election commission.

The district election commission, on the basis of the lists of voters, establishes the total number of voters for the district, as well as the number of voters who received ballot-papers. On the basis of the ballot-papers found in the ballot boxes for every election okrug (within the boundaries of the given election district), the commission establishes the total number of voters who took part in the voting, the number of votes for and the number of votes against each candidate for deputy; the number of ballot-papers of unestablished pattern. For the names of citizens written in addition into the ballot-papers by voters, the votes are not counted.

Voting-papers in which all names are crossed out are considered valid; but for them, the votes are counted as votes against each candidate.

Considered as invalid are ballot-papers of unestablished pattern, as well as ballot-papers in which more than one candidate is left in the voting.

If there doubts arise concerning the validity of a ballot-paper, the question is settled through a vote by the district election commission.

The results of the vote count are reviewed at a session of the district election commission and are entered in the protocol that is compiled separately for each election okrug. The protocol is signed by the chairman, the deputy chairman, the secretary, and the members of the commission and is sent to the corresponding administrative-territorial election commission.

#### **Article 44. Establishment of the Results of the Elections for the Election okrug**

On the basis of the protocols of the district election commissions, the corresponding administrative-territorial election commission determines: The total number of voters for the okrug; the number of voters who received ballot-papers; the number of voters who took part in the voting; the number of votes cast for, and the number of votes cast against, every candidate for deputy.

As elected is considered the candidate for deputy who in the election received the majority of the votes of the voters who took part in the voting. In so doing, for a multi-mandate election okrug, depending on the number of deputy mandates, only those of them become deputies who took the greater number of votes compared to the others. The remaining candidates are considered to be elected as reserve deputies.

The corresponding administrative-territorial election commission may recognize elections as invalid because of violations of the present Law permitted in the course of the elections or in the counting of votes.

Elections are recognized as not having taken place if less than half of the voters entered in the lists of the voters took part in them, but in other exceptional cases the corresponding election commission decides.

The election results for every election okrug are established at a session of the corresponding election commission and are entered in the protocol, which is signed by the chairman, the deputy chairman, the secretary, and the members of the commission.

A report on the results of the election for the election okrug is published in the press by the press of the corresponding administrative-territorial election commission within time periods established by this Law. In the report are indicated: The total number of voters who took part in the voting; the number of votes cast for, and the number of votes cast against, every candidate; the number of invalid ballot-papers; the surname, name and patronymic, the office held (profession), party membership, and the place of work and residence of the elected deputy.

### **IX. Procedure for the Summary and Publication of the Results of the Elections of Deputies of the Local Kirghiz SSR Soviets of People's Deputies**

#### **Article 45. Registration of Deputies of the Local Kirghiz SSR Soviets of People's Deputies**

The oblast, rayon, city, city rayon, settlement and rural election commission sums up the results of the elections to the corresponding Soviet of People's Deputies and effects the registration of the deputies elected for every election okrug.

The oblast, rayon, city, city rayon, settlement and rural election commission may refuse to register a deputy and may recognize the elections as invalid if, in the course of the elections, or in the vote count, or in the determination of the results of the elections, violations of the present Law took place.

#### **Article 46. Publication of the Results of Elections of Deputies of the Local Kirghiz SSR Soviets of People's Deputies**

The report on the results of the elections to the oblast, rayon, city, city rayon, settlement and rural Soviet of People's Deputies, and the list of the elected deputies are published by the corresponding administrative-territorial election commission no later than within a 10-day period in alphabetical order with indication of the surname, name, and patronymic, the office held (profession), party membership, place of work and residence of the deputy, the election okrug from which he was elected to deputy.

#### **Article 47. Certification and Chest Badge of the Deputy of the Local Kirghiz SSR Soviet of People's Deputies**

After confirmation of the authority of the elected deputies by the local Soviet of People's Deputies, every

deputy is given a certificate of his election. The deputy is also given a corresponding chest badge.

**X. Runoff Elections, Repeat Elections, and Elections of Deputies of the Local Kirghiz SSR Soviets of People's Deputies in Place of Deputies Who Have Dropped Out, Conduct of Elections of People's Deputies in Newly-Formed Administrative-Territorial Units**

**Article 48. Runoff Election**

If more than two candidates for deputy of the local Kirghiz SSR Soviets of People's Deputies ran in an election okrug and not one of them was elected, the corresponding administrative-territorial election commission takes a decision about holding in the okrug a repeat vote on the two candidates who received the greatest number of votes. The corresponding administrative-territorial election commission informs the voters of the okrug about this decision.

Runoff election in elections of deputies for a multi-mandate election okrug is carried out by the corresponding administrative-territorial election commission in the case of the equality of votes cast for individual candidates for deputy, which does not allow the determination of elected deputies.

A repeat vote in an election okrug is carried out no later than within a two week period with observance of the requirements of the present Law.

Considered elected is the candidate for deputy of the corresponding Soviet of People's Deputies who, in the repeat elections, has received the greatest number of votes of the voters in relation to the other candidates. In so doing, for a multi-mandate election okrug, depending on the number of deputy mandates, only those of them become deputies who, compared to the others, took more votes of the voters. The remaining candidates are considered to be elected as reserve deputies.

**Article 49. Repeat Elections**

If, for a single-mandate election okrug, no more than two candidates for deputy ran for election and not one of them was elected, or the elections for an election okrug were considered as not having taken place or as invalid, or if the runoff election did not allow the determination of an elected deputy, and for a multi-mandate election okrug where the number of elected deputies turned out to be less than the number of deputy mandates, the corresponding oblast, rayon, city, city rayon, settlement and rural election commission holds repeat elections in the election okrug. In so doing, it turns to the corresponding Soviet of People's Deputies or its presidium with a proposal to confirm the district election commissions of the given election okrug with a new membership. The voting takes place in the same election districts and on the basis of the same lists of voters.

Repeat elections are carried out no later than within a two month period after the general elections. A candidate for deputy who is not elected in one okrug cannot

run for election in repeat elections. The formation of election commissions, the registration of candidates for deputy, and other measures are carried out in accordance with the procedure established by the present Law.

**Article 50. Conduct of Elections of Deputies of Local Kirghiz SSR Soviets of People's Deputies in the Place of Those Who Have Dropped Out**

In the case where the authority of individual deputies is recognized as invalid, as well as in the case of the recall of a deputy, and the ahead-of-schedule termination of deputy authority for other reasons, new elections are held in the corresponding election okrugs within a three month period from the moment when a deputy drops out. The elections are scheduled by the corresponding administrative-territorial election commission no later than two months before their execution and are organized in accordance with the present Law.

For multi-mandate election okrugs, in the case where the authority of individual deputies is recognized as invalid by the local Soviet, in the case of the recall of a deputy, and the ahead-of-schedule termination of the authority of a deputy for other reasons, new elections are not held. At a regular session of the local Soviet, upon recommendation of its mandate commission, a decision is taken about the transfer of the deputy mandate to the reserve deputy who received the greatest number of votes compared to the other reserve deputies elected for the given okrug.

In the case where a deputy drops out less than six months before the expiration of his term of office of the Soviet of People's Deputies, elections to replace the deputy who dropped out are not held.

**Article 51. Conduct of Election in Newly-Formed Administrative-Territorial Units**

Elections of deputies to Soviets of People's Deputies in newly-formed administrative-territorial units are held in cases where the formation of a Soviet of People's Deputies is impossible in view of the insufficient number of deputies elected to the Soviet in the territory, which went to make up the newly-formed oblast, rayon, city, city rayon, settlement, or selsoviet.

Elections of deputies to the oblast, rayon, and city Soviet of People's Deputies and cities of republic subordination are scheduled by the Kirghiz SSR Supreme Soviet, and elections to the rayon, city, city rayon, settlement and rural Soviet of People's Deputies—by the higher Soviet of People's Deputies, no later than within a two month period from the day of the formation of the administrative-territorial unit and are held within time periods established by the present Law.

The voting can be ended earlier than 8 pm if all voters entered in the list of voters have voted.

## **XI. Forms of Election Documents, Model of Ballot Box**

### **Article 52. Forms of Election Documents and Model of Ballot Box**

Forms of the list of voters, protocols of election commissions, the forms and color of the ballot-papers, and the model of the ballot box, as well as the form of the certificate that is issued by the corresponding election commission to the deputy, are established by the Presidium of the Kirghiz SSR Supreme Soviet.

### **Kirghiz SSR Law on Elections of People's Deputies for Local Soviets**

*90US0131A Frunze SOVETSKAYA KIRGIZIYA in Russian 1 Oct 89 pp 2-4*

[“Law of the Kirghiz Soviet Socialist Republic on Elections of People's Deputies of the Kirghiz SSR Local Soviets of People's Deputies,” 23 September 1989]

#### **[Text] I. Basic Principles.**

##### **Article 1. Fundamentals of an Election of People's Deputies to Local Soviets of Kirghiz SSR People's Deputies**

The people's deputies of local soviets of Kirghiz SSR people's deputies are elected for a five-year term by single-mandate okrugs on the basis of the universal, equal, and direct franchise with secret voting.

##### **Article 2. Universal Franchise**

The election of people's deputies to oblast, rayon, city, city-rayon, settlement, and rural soviets of Kirghiz SSR people's deputies is universal: any Kirghiz SSR citizen who has reached the age of 18 years and who, as a rule, resides constantly on the territory of the particular soviet, can be elected as a people's deputy of a local soviet.

Any direct or indirect limitations of the franchise enjoyed by Kirghiz SSR citizens on the basis of their origin, social or property position, race or nationality, sex, education, language, attitude toward religion, or type or nature of employment are forbidden.

Mentally ill citizens who have been deemed by the court to be incompetent, persons who are being kept at places of incarceration, and also those who, on the basis of a court decision, are being kept at places of forced treatment, do not participate in the election.

##### **Article 3. Equal Franchise**

The election of people's deputies to local soviets is equal: a voter in each electoral okrug has one vote; the voters and the candidates for election as deputy participate in the election on an equal basis.

Women and men have equal franchises.

Military personnel enjoy the franchise on a par with all other citizens.

### **Article 4. Direct Franchise**

The election of people's deputies to local soviets is direct: the people's deputies to local soviets are elected directly by the citizens.

### **Article 5. Secret Voting**

The voting at an election of people's deputies to local soviets is secret: monitoring of the expression of the voters' will is not allowed.

### **Article 6. Conducting of the Election by Electoral Commissions**

The conducting of an election of people's deputies to local soviets is provided by electoral commissions, which are formed from among representatives of labor collective, public organizations, and collectives of teachers, workers, and employees jointly with pupils and students at secondary special and higher educational institutions, and meetings of voters at their place of residence and of military personnel at their military units.

### **Article 7. Publicity When Preparing and Conducting an Election of People's Deputies to Local Soviets**

The preparation and conducting of an election of people's deputies to the local soviets are carried out by the electoral commissions, labor collectives, public organizations, collectives of teachers, workers, and employees jointly with pupils and students at secondary special and higher educational institutions openly and publicly.

The electoral commissions inform the citizens about their work, the formation of the electoral okrugs and districts, and the makeup, location, and operating hours of the electoral commissions, and the voter lists. The electoral commissions inform the citizens of the results of registration of the candidates for election as people's deputies, the biographical data concerning the registered candidates, and the basic principles of their platforms, and the results of the voting for each candidate and the election results.

At sessions of the electoral commissions, including sessions to register the candidates for election as deputies, to tally the votes at the election district, and to determine the results of the election for the okrug and sum up the overall election results, the following persons have the right to be present: representatives of labor collectives, public organizations, collectives of teachers, workers, and employees jointly with pupils and students of secondary special and higher educational institutions, and of meetings of voters at their place of residence and of military personnel at their military units; proxies; and representatives of the press, television, and radio. The powers granted to these representatives are certified by the appropriate document. The representatives' intention to be present on election day in the voting accommodations, or at sessions of the electoral commissions, must be communicated to the appropriate electoral commissions no later than two days prior to the

election. The interference of these representatives in the work of the electoral commissions is not allowed.

The mass information media throw light upon the progress of preparation and conducting of the election of people's deputies to the local soviets. The electoral commissions, state and public agencies, labor collectives, and collectives of teachers, workers, and employees jointly with pupils and students of secondary special and higher educational institutions provide them, on their request, the materials linked with the preparation and conducting of the election.

**Article 8. Participation of Citizens, Labor Collectives, Public Organizations, and Collectives of Teachers, Workers, and Employees Jointly With Pupils and Students of Secondary Special and Higher Educational Institutions in Preparing and Conducting an Election of People's Deputies to Local Soviets**

Kirghiz SSR citizens take part in the preparation and conducting of an election of people's deputies to the local soviets both through the labor collectives, public organizations, and collectives of teachers, workers, and employees jointly with pupils and students of secondary special and higher educational institutions, and meetings of voters at their place of residence and of military personnel at their military units, and directly.

Labor collectives, public organizations, and collectives of teachers, workers, and employees jointly with pupils and students of secondary special and higher educational institutions participate in preparing and conducting an election of people's deputies to local soviets both through their own representatives to the electoral commissions, and directly.

**Article 9. Right to Nominate Candidates for Election as People's Deputies to Local Soviets**

The right to nominate candidates for election as people's candidates to local soviets belongs to labor collectives, public organizations, and to collectives of teachers, workers, and employees jointly with pupils and students of secondary special and higher educational institutions, and of meetings of voters at their place of residence and of military personnel at their military units. When making a nomination, it is necessary to take into consideration the on-the-job, political, and moral qualities of the candidate for election as a local deputy to a local soviet.

The soviets of people's deputies and their presidiums, at their discretion, define the minimum number of members of the labor collectives and the number of voters at their place of residence who having the right to nominate candidates for election as people's deputies.

**Article 10. Mandates of Voters to People's Deputies to Local Soviets**

The voters issue mandates to their deputies.

The procedure for presenting, summarizing, reviewing, and organizing the execution of the mandates is established by Kirghiz SSR Law.

**Article 11. Incompatibility of the Status of People's Deputy to a Local Soviet with a Person's Official Position**

Persons who are part of the executive committees of local soviets of Kirghiz SSR people's deputies, with the exception of the chairmen of those agencies; and managers of departments and administrations of the executive committees of local soviets; and state arbiters cannot be simultaneously people's deputies to the local soviet by which they are appointed or elected.

**Article 12. Expenses Linked with an Election of People's Deputies to Local Soviets. Material Support of the Election**

The expenses linked with the preparation and conducting of an election of people's deputies to local soviets are payable only at government expense.

Enterprises, institutions, and organizations, and state and public agencies put at the disposal of the electoral commissions the accommodations, equipment, and transportation means that are needed to prepare and conduct the election.

The candidates for election as people's deputies to the local soviets and the voters do not bear the expenses linked with the preparation or conducting of an election. The creation of monetary funds by labor collectives, public or cooperative organizations, collectives of teachers, workers, and employees jointly with pupils and students of secondary special and higher educational institutions, or groups of voters to conduct an election campaign or to conduct agitation in favor of their candidates for election as people's deputies to the local soviets is not allowed.

**Article 13. Responsibility for Violating the Legislation Governing the Election of People's Deputies to Local Soviets**

Persons who hinder, by violence, deception, threats, or other means, the free carrying out by a Kirghiz SSR citizen of his or her right to elect or be elected as a people's deputy to a local soviet or to conduct pre-election agitation, as well as members of electoral commissions and officials of state and public agencies who have falsified election documents, who have knowingly miscounted the votes, who have violated the secrecy of the voting, or who have committed other violations of this Law, bear the legally established responsibility. Persons who have published, or who have otherwise disseminated, false information about the candidate for election as deputy are also brought to responsibility.

Statements concerning the violations of the election legislation which are received by the electoral commissions and state and public agencies during the period of preparation for the election or after the election must be

reviewed within five days, and those that are received on election day, must be reviewed immediately.

## II. Procedure for Scheduling an Election and Forming the Electoral Okrugs

### Article 14. Scheduling of an Election of People's Deputies to Local Soviets

An election of people's deputies to local soviets is scheduled by Kirghiz SSR Supreme Soviet no later than four months before the expiration of the term of office of the people's deputies to the local soviets.

The date of the election day is announced in the press.

### Article 15. Formation of the Electoral Okrugs

The following number of electoral okrugs is formed for an election of people's deputies to local soviets:

- to an oblast soviet of people's deputies—from 100 to 150 electoral okrugs;
- to a rayon soviet of people's deputies—from 25 to 75 electoral okrugs;
- to a city soviet of people's deputies in cities of republic or oblast subordination—from 50 to 100 electoral okrugs;
- to a city-rayon soviet of people's deputies—from 25 to 50 electoral okrugs;
- to a city soviet of people's deputies in cities of rayon subordination—from 25 to 50 electoral okrugs;
- to a settlement or rural soviet of people's deputies—from 10 to 30 electoral okrugs.

Within the confines of the standards established by this article, the number of electoral okrugs for an election to each oblast soviet of people's deputies or to a rayon or city soviet (in rayons or cities of republic subordination) is defined by the appropriate soviet of people's deputies, on the basis of the number of voters and the size of the territory, or, and to a city soviet in a city of rayon subordination, or settlement or rural soviet, by the higher soviet.

Electoral okrugs are formed by the appropriate territorial electoral commissions on the representation of the soviets or their presidiums, with a consideration of the administrative-territorial division and other peculiarities and the observance, as a rule, of the equal number of voters.

An election of people's deputies to oblast, rayon, city, city-rayon, settlement, and rural soviets of people's deputies is conducted by single-mandate electoral okrugs.

Lists of electoral okrugs with an indication of the number of voters and the location of the electoral commission are published by the appropriate territorial electoral commission no later than the tenth day after the scheduling of the election.

## III. Electoral Districts

### Article 16. Formation of Electoral Districts

To conduct the voting and tally the votes, the territory of rayons, cities, and city rayons making up the electoral okrugs is divided into electoral districts. Electoral districts are also formed in military units and become part of the electoral okrugs at the place where the military units are located. In areas that are remote or relatively inaccessible, it is authorized to form electoral districts that become part of the electoral okrugs at the place where they are located.

### Article 17. Procedure and Standard for Formation of Electoral Districts

Electoral districts are formed by rayon, city (other than in cities of rayon subordination), and city-rayon soviets of people's deputies or their presidiums after coordination with the appropriate territorial electoral commissions. In military units, electoral districts are formed by the local soviets of people's deputies or their presidiums on the representation of the commanders of units or military formations.

Electoral districts are formed no later than two months prior to the election. In military units, and also in areas that are remote or relatively inaccessible, the electoral districts are formed within the same time period, or, in exceptional instances, no later than five days prior to the election.

Electoral districts are formed with a number of no fewer than 20 voters and no more than 3000. In exceptional instances, the local soviet of people's deputies or its presidium, after coordination with the appropriate territorial electoral commission, has the right to form an electoral district with a larger number of voters.

The appropriate local soviet of people's deputies or its presidium informs the voters of the boundaries of each electoral district, with an indication of the location of the district electoral commission and the voting accommodations.

## IV. Electoral Commissions

### Article 18. System of Electoral Commissions

To conduct an election of people's deputies to oblast, rayon, city, city-rayon, settlement, and rural soviets of Kirghiz SSR people's deputies, the following electoral commissions are formed:

- oblast, rayon, city, city-rayon, settlement, and rural territorial electoral commissions (rayon, city, city-rayon, settlement, and rural territorial electoral commissions simultaneously carry out the functions of okrug electoral commissions);
- okrug electoral commissions for electing people's deputies to oblast soviets of people's deputies and to the Frunze city soviet of people's deputies;
- district electoral commissions.

**Article 19. Formation of Territorial Electoral Commissions for Electing People's Deputies to Local Soviets**

Oblast, rayon, city, city-rayon, settlement, and rural territorial electoral commissions for electing people's deputies to local soviets are formed in the following makeup:

oblast—11-15 members; rayon, city, city-rayon—9-11 members; settlement, rural—5-9 commission members.

Representatives to make up the electoral commissions are nominated by labor collectives or their councils, by oblast, rayon, city, or city-rayon agencies of public organizations, by collectives of teachers, workers, and employees jointly with pupils and students of secondary special and higher educational institutions, and by meetings of voters at their place of residence or of military personnel at their military units.

The makeup of the electoral commissions is formed by the appropriate soviets of people's deputies or their presidiums three and a half months prior to the election.

**Article 20. Powers of the Oblast Territorial Electoral Commissions and the Frunze City Electoral Commission for Electing People's Deputies to Local Soviets**

An oblast territorial electoral commission or the Frunze city electoral commission:

1) organizes the preparation and conducting of an election of people's deputies to the oblast soviets of people's deputies or the Frunze city soviet;

2) monitors the execution of this Law and guarantees its uniform application on the territory of the appropriate soviet of people's deputies; when necessary, gives recommendations to Kirghiz SSR Supreme Soviet concerning the interpretation of this Law;

3) directs the activities of the okrug and district electoral commissions;

4) forms electoral okrugs;

5) distributes monetary funds among the electoral commissions;

6) monitors the providing to the electoral commissions of accommodations, transportation, and communication, and reviews other questions pertaining to the material-technical support of the election;

7) provides for the manufacture of the ballots for the election of people's deputies to the local soviets in conformity with the form that has been established by the Presidium of Kirghiz SSR Supreme Soviet;

8) listens to reports given by the okrug and district electoral commissions and the executive and directive agencies of the local soviets, enterprises, institutions, and organizations, as well as agencies of public organizations, with regard to questions linked with the preparation and conducting of the election;

9) receives from the okrug electoral commissions the minutes concerning the registration of candidates for election as deputies, and publishes reports concerning the makeup of the registered candidates for election as people's deputies to the appropriate oblast soviet or Frunze city soviet;

10) receives from the okrug electoral commissions of the minutes concerning the results of the election of people's deputies to the appropriate oblast soviet or Frunze city soviet;

11) registers the elected people's deputies to the appropriate local soviet; sums up the results of the election as a whole for the oblast and for the city of Frunze; and publishes in the press a report on the election results and a list of the elected people's deputies;

12) conveys to the credentials commission of the appropriate oblast soviet or the Frunze city soviet the documentation necessary for checking the powers of the people's deputies;

13) resolves questions linked with the conducting of a runoff vote or a runoff election;

14) schedules an election of people's deputies to the appropriate oblast soviet or Frunze city soviet to replace vacancies left by deputies, and provides for conducting that election;

15) provides the procedure and time periods required for storage of election documents, as established by Kirghiz SSR Supreme Soviet or its Presidium;

16) reviews the statements and complaints concerning the decisions and actions of the okrug and district electoral commissions and makes the final decision concerning them;

17) carries out other powers in conformity with this Law.

**Article 21. Powers of Rayon, City, City-Rayon, Settlement, and Rural Territorial Electoral Commissions for Electing People's Deputies to Local Soviets**

A rayon, city, city-rayon, settlement, and rural territorial electoral commission:

1) organizes the preparation and conducting of an election of people's deputies to the appropriate local soviets;

2) monitoring the execution of this Law on the territory of the appropriate local soviet of people's deputies and guarantees its uniform application; when necessary, makes recommendations to Kirghiz SSR Supreme Soviet concerning the interpretation of this Law;

3) forms electoral okrugs;

- 4) directs the activities of the district electoral commissions;
- 5) distributes monetary funds among the district electoral commissions; monitors the providing of the district electoral commissions with accommodations, transportation, and communication, and reviews other questions pertaining to material-technical support;
- 6) provides for the manufacture of the ballots for the election of people's deputies to the local soviets in conformity with the form that has been established by the Presidium of Kirghiz SSR Supreme Soviet;
- 7) listens to reports by the district electoral commissions, the executive and directive agencies of local soviets, and the managers of enterprises, institutions, and organizations, as well as of agencies of public organizations, with regard to questions linked with the preparation and conducting of the election;
- 8) observes the drawing up of voter lists and the submitting of them for general familiarization;
- 9) organizing the nominating of candidates for election as deputy to the appropriate local soviet;
- 10) registers the nominated candidates for election as people's deputies, and their proxies, and issues the appropriate identity cards to them;
- 11) publishes reports on the makeup of the registered candidates for election as people's deputies to the appropriate local soviet;
- 12) provides the publication of posters with the biographical information concerning the candidates for election as people's deputies and the basic principles of their platforms;
- 13) organizes, jointly with labor collectives, public organizations, and collectives of teachers, workers, and employees jointly with pupils and students of secondary special and higher educational institutions, meetings between the candidates for election as people's deputies and the voters, both in labor collectives and at the voters' place of residence;
- 14) approves the text of the ballot and provides ballots to the district electoral commission;
- 15) receives from the appropriate district electoral commissions the minutes concerning the results of the voting at the electoral districts;
- 16) establishes and publishes in the press the results of the election of people's deputies to the appropriate local soviets;
- 17) registers the elected people's deputies, and issues to the people's deputies certificates of election;
- 18) conveys to the credentials commission of the appropriate soviet the documentation necessary for checking the powers of the people's deputies;
- 19) resolves questions linked with the conducting of a runoff vote or runoff election;
- 20) schedules an election of people's deputies to the appropriate local soviet to replace vacancies left by deputies, and provides for conducting that election;
- 21) resolves questions linked with the recalling of people's deputies to the appropriate local soviet;
- 22) provides the procedure and periods of time required for storing the election documents, as established by Kirghiz SSR Supreme Soviet or its Presidium;
- 23) reviews the statements and complaints concerning the decisions and actions of the district electoral commissions and makes decisions concerning them;
- 24) carries out other powers in conformity with this Law.

#### **Article 22. Formation of Okrug Electoral Commissions for Electing People's Deputies to the Oblast Soviets and the Frunze City Soviet of People's Deputies**

The okrug electoral commissions for electing people's deputies to oblast soviets and the Frunze city soviet of people's deputies are formed by the appropriate soviets or their presidium three months prior to the election, in a makeup of 9-11 members.

The representatives to make up the okrug electoral commissions are nominated by the labor collectives or their councils, by oblast, rayon, city, and city-rayon agencies of public organizations, by collectives of teachers, workers, and employees jointly with pupils and students of secondary special and higher educational institutions, and by meetings of voters at their place of residence and of military personnel at their military units. In order to define the labor collectives, public organizations, and collectives of teachers, workers, and employees jointly with pupils and students of secondary special and higher secondary institutions which nominate representatives to make up the commissions, the appropriate soviets of people's deputies or their presidiums, when necessary, can hold conferences of persons empowered by the labor collectives, public organizations, collectives of teachers, workers, and employees jointly with pupils and students of secondary special and higher educational institutions, public-action agencies, and meetings of military personnel at military units.

The term of office of the okrug electoral commissions ends after the recognition by the appropriate local soviet of the powers granted to the local people's deputies to the local soviets.

#### **Article 23. Powers of Okrug Electoral Commissions for Electing People's Deputies to Oblast Soviets and the Frunze City Soviet of People's Deputies**

The okrug electoral commission for electing people's deputies to the oblast soviets and the Frunze city soviet of people's deputies:

- 1) monitors the execution of this Law on the territory of the electoral okrug;
- 2) listens to reports given by the district electoral commissions, executive and directive agencies of the local soviets, and managers of enterprises, institutions, and organizations, as well as of agencies of public organizations, on questions linked with the preparation and conducting of the election;
- 3) observes the drawing up of voter lists by the district electoral commissions and the submittal of them for general familiarization;
- 4) organizes the nomination of candidates for election as people's deputies to the appropriate local soviet;
- 5) registers the nominated candidates for election as people's deputies and issues the appropriate identity cards documents to them; provides for the publishing of posters with biographical information concerning the candidates for election as deputies and the basic principles of their platforms;
- 6) registers the proxies of the candidates for election as people's deputies and issues the appropriate identity cards to them;
- 7) organizes, jointly with labor collectives and public organizations, meetings between the candidates for election as people's deputies and the voters, both in labor collectives and at the voters' place of residence, and provides equal conditions for the candidates to participate in the election campaign;
- 8) approves the text of the ballot for the particular electoral okrug, and provides for the manufacture of the ballots and the supplying of them to the district electoral commissions;
- 9) establishes and publishes in the press the results of the election for the electoral okrug, and issues to the elected people's deputy a certificate concerning his election;
- 10) organizes the conducting of a runoff vote or of a runoff election, as well as an election to fill vacancies left by people's deputies;
- 11) reviews the statements and complaints concerning the decisions and actions of the district electoral commissions and makes decisions concerning them;
- 12) carries out other powers in conformity with this Law.

#### **Article 24. Formation of District Electoral Commissions**

The district electoral commission is formed no later than 45 days prior to the election, in a makeup of 3-19 members.

Representatives to make up the district electoral commission are nominated by labor collectives or their councils, by rayon, city, and city-rayon public organizations, their primary organizations, collectives of teachers, workers, and employees jointly with pupils and

students of secondary special and higher educational institutions, public-action agencies, and meetings of voters at their place of residence and of military personnel at their military units.

District electoral commissions are approved by rayon, city (other than in cities of rayon subordination), and city-rayon soviets of people's deputies or their presidiums.

The term of office of the district electoral commissions ends simultaneously with the end of the term of office of the okrug electoral commissions.

#### **Article 25. Powers of the District Electoral Commission**

The district electoral commission:

- 1) draws up voter lists for the district;
- 2) acquaints the voters with the voter list; accepts and reviews statements concerning the inaccuracies in the list; and resolves the question of making the appropriate changes in it;
- 3) accepts, in the instances stipulated by Article 31 of this Law, from the voters intending to be absent on election day from their place of residence their decisions, in sealed envelopes, and guarantees the secrecy of the expression of the voters' will;
- 4) informs the public about the election day and the voting place;
- 5) provides for the preparing of the accommodations for the voting and the ballot boxes;
- 6) organizes at the electoral district the voting on election day;
- 7) tallies the votes that have been cast at the electoral district;
- 8) reviews the statements and complaints concerning questions of the preparation of the election or the organizing of the voter at the electoral district and makes decisions concerning them;
- 9) resolves questions of the representation of collectives, public organizations, meetings of voters at their place of residence or of military personnel at their military units, proxies, as well as representatives of the press, television, and the radio, at sessions of the electoral commissions;
- 10) carries out other powers in conformity with this Law.

#### **Article 26. Organization of the Work of the Electoral Commissions**

The chairman, deputy chairmen, and secretary of the electoral commission are elected at a session of the appropriate commission, information concerning which is made known to the voters.

The sessions of the electoral commission are convoked by its chairman and are valid if no less than two-thirds of

the commission makeup take part in them. The commission's decisions are made by open vote, by a majority of the votes from the total commission makeup. Commission members who do not agree with its decision have the right to express a special opinion, which is appended in written form to the minutes. The minutes, with any special opinion, are sent for review to the higher electoral commission.

Decisions of the electoral commissions that are made within the confines of their competency are mandatory for execution by all state and public agencies, enterprises, institutions, and organizations.

The decisions and actions of an electoral commission can be appealed to a higher electoral commission, and, in instances stipulated by this Law, also to the court.

A member of an electoral commission or the chairman, deputy chairman, or secretary, on the basis of a commission decision, can be relieved during the period of preparation and conducting of an election from the fulfillment of production or official duties for 30 days, with the retention of his average earnings, payable from funds allocated for the conducting of the election. At individual stages in the election campaign, at the discretion of the okrug electoral commission, one additional member of the electoral commission can be relieved.

A member of an electoral commission does not have the right to participate in agitation for or against the candidates for election as people's deputies.

The new representatives to make up the electoral commissions are nominated and approved in the procedure established by this Law.

#### **Article 27. Assistance to the Electoral Commissions in Carrying Out Their Powers**

State and public agencies, enterprises, institutions, organizations, and officials are obliged to assist the electoral commissions in their carrying out of their powers, and to provide them with the information and materials needed for their work.

The electoral commission has the right, with regard to questions linked with the preparation and conducting of an election, to get in contact with state and public agencies, enterprises, institutions, organizations, and officials, who are obliged to review the question that has been posed and to give the electoral commission a reply within three days.

#### **V. Voter Lists**

##### **Article 28. Voter List and Procedure of Drawing It Up**

A voter list is drawn up for each electoral district and is signed by the chairman and secretary of the district electoral commission. The district electoral commission can invite representatives of the public to participate in the work of drawing up the list.

The executive committees of city, rayon, city-rayon, settlement, and rural soviets of people's deputies provide for the voter registration and convey to the district electoral commissions information about the voters residing on the appropriate territory, which information is necessary for drawing up the voter lists.

Voter lists of military personnel who are located in military units, as well as the members of families of military personnel and of other voters, if they are residing in areas where the military units are deployed, are drawn up on the basis of data presented by the commanders of the military units. Military personnel residing outside of military units are included in voter lists at their place of residence, on a general basis.

The last names of the voters are indicated in the voter list in a procedure that is convenient for organizing the voting.

#### **Article 29. Procedure of Including Citizens in the Voter List**

The persons included in the voter list are: all Kirghiz SSR citizens who have reached the age of 18 years prior to or on election day, who are permanently or temporarily residing, as of the moment that the list is drawn up, on the territory of the particular electoral district, and who have the right to participate in the voting.

The district electoral commission can include a voter in the list on the basis of his personal statement and upon presentation of his internal passport or other document that serves as identification for the citizen, if the voter has arrived at the new place of residence after the voter lists for general familiarization have been drawn up. Voters residing on the territory of the particular electoral district who, for some reason, have been omitted from the list, are included in it in accordance with the decision of the district electoral commission.

A voter cannot be included in a voter list at other electoral districts.

#### **Article 30. Familiarizing the Citizens with the Voter Lists and the Right to Appeal Inaccuracies in the Voter List**

The voter lists are submitted for general familiarization 15 days before the election, and in electoral districts formed in areas that are remote or relatively inaccessible, two days before the election.

Citizens are given the opportunity to familiarize themselves with the voter list and to check the accuracy with which it was drawn up, at the accommodations of the district electoral commission.

Every citizen is granted the right to appeal the noninclusion or incorrect inclusion in the list, or exclusion from it, as well as any inaccuracies that occur in the list in indicating the data about the voter. The statement concerning inaccuracies in the list is reviewed by the district electoral commission, which is required within two days—or, on the eve of election day or on election day

itself, immediately—to review the statement and to make the necessary corrections in the list, or to provide to the person who has submitted the statement a copy of a substantiated decision to reject his statement.

The decision of the district electoral commission can be appealed to the rayon (city) people's court no later than five days prior to the election. That court is required to review the complaint within three days. The decision of the rayon (city) people's court is final. A correction in the voter list in conformity with a court decision is made immediately by the district electoral commission.

#### **Article 31. Guaranteeing the Franchise of Citizens Who Have Moved**

If a voter has moved during the period after the voter lists have been submitted for general familiarization, including election day, the voter has the right, upon presentation of his internal passport or other identification document, to hand over to the district electoral commission, in a sealed envelope, the decision concerning his choice with respect to the candidates running for election as deputies. The district electoral commission makes the appropriate notation about this in the voter list. The sealed envelope, in the presence of the voter, has an official seal stamped on it. The district electoral commission bears the responsibility for the intactness of the envelope.

#### **VI. Nomination and Registration of Candidates for Election as People's Deputies to Local Soviets**

##### **Article 32. Procedure for Nominating Candidates for Election as People's Deputies to Local Soviets**

Nomination of candidates for election as people's deputies to local soviets begins three months prior to the election and ends two months prior to it.

Candidates for election as people's deputies are nominated at meetings (conferences) of labor collectives, collectives of teachers, workers, and employees jointly with pupils and students of secondary special and higher educational institutions.

Candidates for election as people's deputies to oblast, rayon, city, and city-rayon soviets of people's deputies from public organizations are nominated by the republic, oblast, rayon, city, and city-rayon agencies, and as people's deputies to settlement and rural soviets of people's deputies, by the primary public organizations.

Meetings of voters at their place of residence for the purpose of nominating candidates for election as people's deputies are convoked by the appropriate soviets or their presidiums jointly with the appropriate electoral commissions.

Meetings of military personnel for the purpose of nominating candidates for election as people's deputies of local soviets are convoked by the command element of the military units.

At the meetings, conditions are created for nominating an unlimited number of candidates. Every participant of the meeting has the right to make proposals concerning the candidates for election as people's deputies, to participate in the discussion of them, and to support the proposed candidacies or to make a recommendation that they be rejected.

The decision to nominate a candidate for election as a people's deputy is made at the meeting by open or secret voting. The voting procedure is established by the meeting.

The candidate is deemed to be nominated if more than half the participants of the meeting, or a majority of the total makeup of the appropriate agency of the public organization, have voted for him. Minutes concerning the nomination of a candidate for election as people's deputy is drawn up, and is submitted within three days to the appropriate electoral okrug. The decision that has been made is communicated to the candidate for election as people's deputy within two days.

A Kirghiz SSR citizen cannot be simultaneously a people's deputy in more than two soviets of people's deputies.

##### **Article 33. Registration of Candidates for Election as People's Deputies to Local Soviets**

The candidates for election as people's deputies to oblast soviets and the Frunze city soviet of people's deputies are registered by the okrug electoral commissions for elections to the appropriate soviet.

Candidates for election as people's deputies to rayon, city, city-rayon, settlement, and rural soviets are registered by the appropriate rayon, city, city-rayon, settlement, and rural territorial electoral commissions.

The candidates for election as people's deputies to local soviets are registered upon the representation of the labor collectives, agencies of public organizations, collectives of teachers, workers, and employees jointly with pupils and students of secondary special and higher educational institutions, and meetings of voters at their place of residence and of military personnel at their military units, which have nominated the candidates for election as deputies.

Registration of the candidates for election as deputies begins two months before the election day and ends 15 days before it.

The decision to register the candidates for election as deputies is made if the following documents are present: minutes of meetings to nominate candidates for election as deputy in the particular electoral okrug, as well as statements from the candidates for election as deputies concerning their consent to run in the particular electoral okrug.

The persons listed in Article 11 and in Part 9 of Article 32 of this Law, upon being nominating as candidates for

election as deputy, indicate in their statements their intention to release the positions occupied by them in the event that they are elected deputies or they discontinue, before the completion of their term of office, their deputy powers in one of the soviets of people's deputies, or communicate in written form the withdrawal of their candidacies.

Candidates for election as people's deputies submit the statements of their consent to run to the appropriate electoral commissions no later than the fifth day after the end of the nomination.

The electoral commission draws up minutes concerning the registration of the candidates for election as deputies, and submits them, together with the candidates' statements, within three days to the appropriate electoral commission.

The appropriate electoral commission registers the candidates for election as people's deputies who were nominated with the observance of the requirements stated in this Law. Refusal to register a candidate can be appealed with three days to the appropriate electoral commission.

A candidate for election as people's deputy can run simultaneously in only one electoral okrug.

A report on the registration of candidates for election as people's deputies, with an indication of the data concerning the registered candidates, is published in the press by the appropriate electoral commission no later than the fourth day after the registration, with an indication of the last name, first name, and patronymic, year of birth, position occupied (occupation), and place of work and residence of each candidate for election as people's deputy.

A candidate for election as people's deputy cannot be part of the appropriate oblast, city, city-rayon, settlement, or rural territorial electoral commission, or the okrug or district electoral commission of the electoral okrug in which he has been nominated as a candidate for election as deputy. A person who is nominated as a candidate for election as a people's deputy and who is a part of one of the commissions mentioned is deemed to be relieved of his duties in the commission, starting with the moment of his registration as candidate for election as a deputy.

#### **Article 34. Cancelling the Decision to Nominate a Candidate for Election as a People's Deputy to a Local Soviet. Withdrawal by a Candidate for Election of His Own Candidacy**

A labor collective, agency of a public organization, collective of teachers, workers, and employees jointly with pupils and students of secondary special and higher educational institutions, or a meeting of voters at their place of residence or of military personnel at their military unit, which have nominated a candidate for election as a people's deputy to a local soviet have the right at any time prior to the election to cancel their

decision to nominate a candidate for election as a people's deputy. The decision on this question is made in the procedure stipulated for nominating candidates for election as people's candidates and is submitted to the appropriate electoral commission.

A candidate for election as people's deputy, at any time prior to the election, can withdraw his own candidacy by submitting a statement to that effect to the appropriate electoral commission.

The appropriate electoral commission makes known to the voters in the okrug the cancellation of the decision to nominate a candidate for election as a deputy or the candidate's withdrawal of his own candidacy.

#### **Article 35. Procedure for Nominating Candidates for Election as People's Deputies to Local Soviets to Fill Vacancies Left by Deputies**

In the event that vacancies are left by candidates for election as people's deputies to a local soviet after the completion of the time period for registering candidates for election as deputies, if no other candidates remain in the electoral okrug, the appropriate electoral commission requests the labor collectives, public organizations, collectives of teachers, workers, and employees jointly with pupils and students of secondary special and higher educational institutions, and meetings of voters at their place of residence and of military personnel at their military units to nominate new candidates for election as deputies. In the event that a vacancy for a deputy is created less than a month before the election, the election of a deputy from the appropriate electoral okrug is conducted within two months after the general election.

The candidates for election as people's deputies to fill vacancies that have been created are left are nominated in the procedure established by this Law.

#### **Article 36. Ballot**

The ballot includes in alphabetical order all the registered candidates for election as people's deputies to the local soviets, with an indication of the last name, first name, and patronymic, position occupied (occupation), and place of work and residence of each candidate for election as a people's deputy. The ballots are printed in the Kirghiz and Russian languages, and in the other languages used by the majority of the population in the electoral okrug.

#### **VII. Guarantees of the Actions of the Candidates for Election as People's Deputies to Local Soviets**

##### **Article 37. Right of the Candidate for Election as a People's Deputy to a Local Soviet to Speak at Meetings, to Use the Mass Media, and to Receive Information**

Candidates for election as people's deputies to local soviets, from the moment of their nomination, participate in the election campaign on an equal basis. Candidates for election as people's deputies have the right to

speak at pre-election and other meetings, conferences, and sessions, and in the press and on television and radio.

State and public agencies; managers of enterprises, institutions, and organizations; and public-action agencies that are situated on the territory of the electoral okrug are required to render to the candidate for election as people's deputy assistance in organizing meetings with voters and in receiving the necessary reference and informational materials.

**Article 38. Platform of the Candidate for Election as People's Deputy to a Local Soviet**

A candidate for election as a people's deputy to a local soviet makes a statement concerning the platform for his future actions. The platform of the candidate for election as deputy must not contradict the USSR Constitution, the Kirghiz SSR Constitution, or Soviet laws. The candidate for election as people's deputy bears the responsibility for his platform.

**Article 39. Proxies of the Candidate for Election as People's Deputy to a Local Soviet**

A candidate for election as a people's deputy to a local soviet can have as many as three proxies, who help him to conduct the election campaign, carry out agitation for electing him as deputy, and represent his interests in interrelationships with state and public organizations, the voters, and members of public organizations, and also in the electoral commissions.

A candidate for election as deputy determines his proxies at his own discretion and provides information about them to the appropriate electoral commission for registration purposes, and also bears the personal responsibility for their work.

The proxy cannot be a part of any electoral commission in the okrug. The electoral commission, after registering the proxies, issues identity cards to them.

The proxies of the candidate for election as deputy, after they have been registered, for the period when the pre-election meetings are being held, on the request of the candidate for election as people's deputy, can be relieved of the fulfillment of their production or official duties, with the retention of their average earnings at their place of work, payable from the funds allocated for the conducting of the election.

**Article 40. Pre-Election Agitation**

Labor collectives, public organizations, collectives of teachers, workers, and employees jointly with pupils and students of secondary special and higher educational institutions, and voters at their place of residence, which have nominated candidates for election as deputies; and proxies are granted the right to conduct agitation for their candidates.

Labor collectives, public organizations, collectives of teachers, workers, and employees jointly with pupils and students of secondary special and higher educational institutions, and voters at their place of residence are provided with equipped accommodations for conducting meetings and rallies, as well as mass-information means to conduct the pre-election agitation.

Kirghiz SSR citizens, labor collectives and public organizations, and collectives of teachers, workers, and employees jointly with pupils and students of secondary special and higher educational institutions are guaranteed the opportunity to discuss freely and completely the political, on-the-job, and personal qualities of the candidates for election as deputies, as well as the right to conduct agitation for or against the candidates at meetings, in the press, or on television and radio.

Candidates for election as people's deputies to the local soviets hold meetings with their voters at meetings at their place of work or residence. Voter meetings are organized by the electoral commission jointly with the appropriate soviet of people's deputies or its presidium.

The time and place where the various meetings will be held are communicated to the voters ahead of time, but no later than one day prior to their being held.

Agitation on election day is not allowed.

**Article 41. Relieving the Candidate for Election as People's Deputy to a Local Soviet from Production or Official Duties to Participate in Pre-Election Measures**

A candidate for election as people's deputy to a local soviet, after registration, for the period when he holds meetings with the voters and speaks at pre-election meetings and rallies, and on television and the radio, is relieved of the fulfillment of his production or official duties. The expenses incurred by the candidate for election as people's deputy to conduct his election campaign are compensated by the appropriate territorial electoral commission in the amount and in the procedure established by the Presidium of Kirghiz SSR Supreme Soviet.

**Article 42. Right of the Candidate for Election as People's Deputy to a Local Soviet to Receive Free Travel**

A candidate for election as a people's deputy to a local soviet, after registration, has the right to receive free travel on all types of passenger transportation (with the exception of taxis), within the confines of the appropriate electoral okrug. A candidate for election as people's deputy who resides outside the confines of the electoral okrug enjoys the same right in order to travel to the electoral district and return to his place of residence.

**Article 43. Inviolability of the Candidate for Election as People's Deputy to a Local Soviet**

A candidate for election as a people's deputy to a local soviet cannot be brought to criminal responsibility, arrested, or subjected to measures of administrative

punishment that are imposed in a legal procedure, without the consent of the appropriate electoral commission.

### **VIII. Procedure for Voting and Summing Up the Election Results**

#### **Article 44. Time and Place of Voting**

The voting is conducted on election day from 0700 to 2000 hours, local time. The district electoral commission informs the voters of the time and place of voting no later than ten days prior to the election.

At electoral districts formed in military units and in areas that are remote or relatively inaccessible, the district electoral commission can announce the voting to be completed at any time if all the voters included in the list have voted.

#### **Article 45. Organizing the Voting**

The voting is conducted in accommodations that have been specially set aside, which must be equipped with a sufficient number of booths or rooms for secret voting, designated places for casting the ballots, and ballot boxes. The ballot boxes are installed in such a way that, as the voters approach them, they must necessarily pass through the rooms for secret voting.

The responsibility for organizing the voting, guaranteeing the secrecy of the expression of the voters' will, equipping the accommodations, and maintaining the necessary order there is borne by the district electoral commission.

On election day, before the voting begins, the ballot boxes are checked and are sealed with lead or an official seal by the chairman of the district electoral commission in the presence of the commission members.

Every voter votes personally. Voting for other persons is not allowed. The ballots are issued by the district electoral commission on the basis of the voter list for the electoral district upon presentation of the person's internal passport or other document that identifies the citizen. A notation is made in the voter list concerning the issuance of the ballots.

In the event that individual voters, for reason of health or other reasons, cannot come to the voting place, the district electoral commission, on their request, instructs no fewer than two commission members to organize the voting at the place where those voters are located.

#### **Article 46. Conducting the Voting**

The ballots are filled out by the voter in the booth or room for secret voting. When the ballots are being filled out, it is forbidden to have anyone present other than the voter. A voter who is incapable of filling out the ballot independently has the right to invite into the booth or the room another person at his own discretion, other than a member of the electoral commission.

In an election of people's deputies to local soviets, the voter crosses out on the ballot the last names of the candidates against whom he is voting.

#### **Article 47. Tallying the Votes at the Electoral District**

It is forbidden to open the ballot boxes or the voters' sealed envelopes prior to the end of voting. Before the ballot boxes are opened, all the unused ballots are counted and voided by the district electoral commission.

The ballot boxes and the sealed envelopes that were turned over by voters to the district electoral commission before they moved away are opened by the district electoral commission in the presence of all its members after the commission chairman has announced the end of the voting.

In an election of people's deputies to local soviets, the votes are tallied at the electoral district individually for each candidate for election as deputy.

The district electoral commission, in accordance with the basic voter list and the appendix to it, establishes the total number of voters in the district, as well as the number of voters who received ballots, and the number of voters who turned over sealed envelopes. On the basis of the ballots located in the ballot boxes and the voters' decisions contained in the envelopes previously turned over to the district electoral commission, the commission establishes for the electoral okrug (within the confines of the particular electoral district): the total number of voters who took part in the voting; the number of votes cast against each candidate for election as deputy; the number of ballots and the voter's decisions contained in envelopes that were deemed to be invalid. Votes for persons whose names were written in by the voters on the ballots or in the sealed envelopes are not tallied.

Ballots on which all the names have been crossed out are considered to be valid, but the votes tallied from are counted as being cast against each candidate.

Ballots of nonstandard form, as well as ballots on which the names of more than one candidate were left, are deemed to be invalid. If any doubts arise concerning the validity of the bulletin, the question is resolved by the district electoral commission by means of a vote.

The results of the vote tally are reviewed at a session of the district electoral commission and recorded in the minutes. The minutes are signed by the chairman, deputy chairman, secretary, and commission members and are sent to the appropriate territorial electoral commission.

#### **Article 48. Establishing the Election Results for the Electoral Okrug**

In conformity with this Law, the election results are established:

- 1) for electoral okrugs for an election of people's deputies to an oblast or Frunze city soviet of people's deputies—

by the appropriate okrug commissions on the basis of the minutes from the district electoral commissions;

2) for electoral okrugs for an election of people's deputies to rayon, city, city-rayon, settlement, and rural soviets of people's deputies—by the rayon, city, city-rayon, settlement, and rural territorial electoral commissions on the basis of the minutes from the district electoral commissions.

On the basis of the minutes from the district electoral commissions and the tallying of the votes cast at the electoral district, the electoral commissions determine: the total number of voters for the okrug; the number of voters who received ballots, and the number of voters who turned over sealed envelopes; the number of voters who took part in the voting; the number of votes cast for and the number of votes cast against each candidate for election as deputy; the number of ballots and the number of voters' decisions contained in sealed envelopes that were deemed to be invalid.

The person who is considered to be elected is the candidate for election as people's deputy who received in the election more than half the number of votes from the voters who took part in the voting.

If, at individual electoral districts, a violation of this Law occurred in the process of voting, a runoff vote is conducted. After it has been conducted, the appropriate electoral commission sums up the election results for the okrug.

The appropriate electoral commission can deem the election to be invalid because of violations of this Law that occurred during the course of the election or during the tallying of the votes.

An election is deemed to be void if less than half the voters carried on the voter list took part in it, or if a candidate for election as deputy is no longer in the running and only one candidate was registered for the okrug.

The election results for each electoral okrug are established at a session of the appropriate electoral commission and are recorded in minutes that are signed by the chairman, deputy chairman, secretary, and commission members.

A report on the election results for the electoral okrug is published in the press by the appropriate electoral commission within the time limits established by this Law. The report indicates the total number of voters included on the voter lists; the number of voters who took part in the voting; the number of votes cast for and the number of votes cast against each candidate; the number of invalid ballots and voter decisions contained in envelopes; the last name, first name, and patronymic, year of birth, position occupied (occupation), party affiliation, and place of work and residence of the elected deputy.

## IX. Procedure for Summing Up and Publishing the Results of an Election of People's Deputies to Local Soviets

### Article 49. Registration of People's Deputies to Local Soviets

The appropriate electoral commission for electing people's deputies sums up the election results and registers the people's deputies to local soviets who were elected for each electoral okrug.

The electoral commission can refuse to register a deputy and deem the election to be invalid if, in the course of the election or during the tallying of the votes, or in the establishing of the election results, violations of this Law occurred.

### Article 50. Publishing the Election Results

A report on the election results and a list of the elected people's deputies are published in the press by the appropriate territorial electoral commission no later than the tenth day after the conducting of the election. The names are listed in alphabetical order, with an indication of the last name, first name, and patronymic, position occupied (occupation), party affiliation, the deputy's place of work and of residence, and the electoral okrug from which he was elected deputy.

### Article 51. Identity Card and Lapel Pin for People's Deputy to a Local Soviet

After the local soviet of people's deputies has recognized the powers of the elected deputies, the identity card that had been issued to him to certify his having been chosen as a deputy is replaced by the identity card of a people's deputy to a local soviet of Kirghiz SSR people's deputies. The deputy is also issued the appropriate lapel pin.

## X. Runoff Voting, Runoff Election, Election of People's Deputies to Local Soviets to Fill Vacancies That Have Been Created, and the Conducting of an Election of People's Deputies in Newly Formed Administrative-Territorial Units

### Article 52. Runoff Voting

If, in the electoral okrug, more than two candidates ran for election as people's deputy and none of them was elected, the appropriate electoral commission makes a decision to conduct in the okrug a runoff election for the two candidates for election as people's deputy who received the largest number of votes. The appropriate electoral commission informs the voters in the okrug about this decision.

The runoff voting in the electoral okrug is conducted within two weeks, with the observance of the requirements stated in this Law.

The person who is deemed to be elected is the candidate for election as people's deputy to the appropriate soviet of people's deputies who received during the runoff voting the largest number of the votes cast by the voters.

#### **Article 53. Runoff Election**

If, in the electoral okrug, no more than two candidates ran for election as people's deputy to the local soviet and neither one of them was elected, or the election for the electoral okrug was deemed to be void or invalid, or if the runoff vote did not make it possible to determine the elected deputy, the appropriate electoral commission holds a runoff election in the electoral okrug. If necessary, the election is held by okrug and district electoral commissions in a new makeup. The voting is conducted at the same electoral okrugs and according to the voter lists drawn up for conducting the general election.

The runoff election is held within two months after the general election. A candidate for election as deputy who was not elected in one okrug cannot run during the runoff election. The formation of the electoral commissions, the registration of the candidates for election as deputy, and other measures are carried out in the procedure established by this Law.

#### **Article 54. The Conducting of an Election of People's Deputies to Local Soviets to Fill Vacancies That Have Been Created**

In the event that a soviet of people's deputies has deemed the powers of individual deputies to be void, and also in the event of the recall of a deputy or the preterm cessation of deputy powers for other reasons, a new election is held in the appropriate electoral okrugs within two months after the moment that the vacancy has been created. The election is scheduled by the appropriate electoral commission no later than two months prior to the holding of the election and it is organized in conformity with this Law. At such time the electoral commission is formed 50 days prior to the election, and district electoral commissions are formed a month prior to the election. The registration of candidates for election as deputy ends a month prior to the election.

In the event that a deputy vacancy is created less than six months prior to the expiration of the term of office of the soviet of people's deputies, no election is held to fill the deputy vacancy that was created.

#### **Article 55. Conducting of an Election in Newly Formed Administrative-Territorial Units**

An election of people's deputies to local soviets in newly formed administrative-territorial units is held in instances when the formation of a soviet of people's deputies is impossible in view of an insufficient number of deputies elected to the soviet on the territory that has become part of the newly formed oblast, rayon, city, city rayon, settlement, or rural soviet.

An election of people's deputies to an oblast soviet of people's deputies, as well as a rayon and city soviet of people's deputies in rayons and cities of republic subordination, is scheduled by the Kirghiz SSR Supreme Soviet, and an election to a rayon, city, city-rayon,

settlement, or rural soviet of people's deputies is scheduled by the higher soviet of people's deputies within two months after the date of formation of the administrative-territorial unit and is held within the time limits established by this Law.

#### **XI. Forms of Election Documents, Model of Ballot Box**

#### **Article 56. Forms of Election Documents, Model of Ballot Box**

The forms of the voter list and the minutes of voter commissions, the forms and color of the ballots, the model of the ballot box, as well as the form of the identity card issued by the appropriate electoral commission to the deputy, are established by the Presidium of Kirghiz SSR Supreme Soviet.

### **Latvian SSR**

#### **Latvian SSR Law on Elections of People's Deputies for Local Soviets**

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[“Law of the Latvian Soviet Socialist Republic on the Election of People's Deputies of the Local Latvian SSR Soviets”, issued 29 July 1989]

#### **[Text] I. General Principles**

##### **Article 1. Elements of Elections of People's Deputies**

Elections of people's deputies to the Latvian SSR local soviets—rayon, city, city district, settlement, and village soviets shall be conducted by single-mandate election districts on the basis of universal, equal, and direct suffrage with secret balloting and the free expression of one's will.

##### **Article 2. Universal Suffrage**

Elections of people's deputies to the local soviets shall be universal. All citizens of the Latvian SSR who have reached the age of 18 and who permanently reside on the territory of the appropriate local Soviet of People's Deputies shall have the right to nominate candidates for the office of people's deputy and shall have the right to vote.

Any citizen of the Latvian SSR who has reached the age of 18 and who has resided permanently on the territory of the Latvian SSR during the last five years can be elected a people's deputy to an Latvian SSR local soviet.

A citizen of the Latvian SSR cannot be simultaneously a people's deputy of more than two soviets of people's deputies.

Military service personnel on active military service on the territory of a local soviet can vote and be elected in districts formed for the election of people's deputies from military service personnel, regardless of whether

they are citizens of the Latvian SSR and their term of military service on the territory of this republic. Members of the families of military personnel and other citizens living on the territory where military units are situated can vote in districts formed for the purpose of electing people's deputies from military service personnel, regardless of whether they are citizens of the Latvian SSR.

Any kinds of direct or indirect restrictions on suffrage depending on origin, social or property status, race, nationality, sex, education, language, attitude toward religion, type and nature of occupation shall be prohibited.

Citizens of the Latvian SSR having permanent place of residence on the territory of foreign states cannot vote or be elected.

Mentally ill citizens who have been judged by a court to be incompetent, persons confined in places of incarceration, and persons sent by verdict of the court to places of mandatory treatment shall not take part in elections.

### **Article 3. Equal Suffrage**

Elections of people's deputies to the Latvian SSR local soviets shall be equal: each voter shall have one vote; voters shall participate in elections on an equal basis.

### **Article 4. Direct Suffrage**

Elections of people's deputies to the rayon, city, city-district, settlement, and village soviets in the Latvian SSR shall be direct: people's deputies of the local soviets shall be elected directly by the citizens.

### **Article 5. Free Elections and Secret Balloting**

Elections of people's deputies to the Latvian SSR local soviets shall be free. Influencing the will of voters by means of violence, deceit, threats, bribery, or other illegal methods, as well as the misuse of their free expression shall entail criminal liability.

Voting in elections for the office of people's deputy to Latvian SSR local soviets shall be secret: monitoring controls on the voters' free expression shall not be allowed.

### **Article 6. Conduct of Elections by the Electoral Commissions**

Elections of people's deputies to the Latvian SSR local soviets shall be conducted by electoral commissions, which shall be formed from representatives of labor collectives, collectives of pupils and students, public organizations, meetings of voters at their place of residence, and military service personnel at their military units.

### **Article 7. Glasnost [Openness] in Preparing and Conducting Elections of People's Deputies to Latvian SSR Local Soviets**

The preparation and conduct of elections of people's deputies to Latvian SSR local soviets shall be carried out by electoral commissions, labor collectives, collectives of pupils and students, as well as public organizations openly and above board.

The electoral commissions shall inform citizens about their work, the formation of election districts and precincts, the composition, place and time of the electoral commissions' work, as well as lists of voters. The electoral commissions shall convey to citizens information about the nomination of candidates, about the results of the registration of candidates for the office of deputy, biographical data concerning the registered candidates and the general principles of their election programs, the results of the balloting for each candidate, and the over-all election results.

Sessions of the electoral commissions, including those concerned with registering candidates for the office of deputy, tallying up the votes of those who participated in the election, ascertaining the results of the elections by district, and totaling up the general election results, can be rightfully attended by representatives of labor groups, collectives of pupils and students, public organizations, meetings of voters, appointed persons, as well as representatives of the press, television, and radio.

The grounds for participation by a representative of a labor collective, collective of pupils and students, public organization, or voters' meeting at a session of an electoral commission shall be a written authorization from the minutes of a meeting for nominating a candidate or those of a session of the election organ of a public organization which has been registered by the appropriate electoral commission.

The mass media shall be kept abreast of the progress being made in preparing and conducting the elections of people's deputies; they shall be guaranteed unhampered access to all meetings and sessions connected with the elections. The electoral commissions, state and public organs, labor collectives, collectives of pupils and students shall present them with the existing information connected with the preparation and conduct of the elections.

### **Article 8. Participation of Citizens, Labor Collectives, Collectives of Pupils and Students, and Public Organizations in Preparing and Conducting Elections of People's Deputies to the Latvian SSR Local Soviets**

Citizens shall take part in preparing and conducting the elections of people's deputies to the Latvian SSR local soviets through their labor collectives, collectives of pupils and students, public organizations, meetings of voters at their place of residence, and military service personnel at their military units, as well as directly.

Labor collectives, collectives of pupils and students, and public organizations participate in preparing and conducting elections of people's deputies to the Latvian SSR

local soviets either through their own representatives in the electoral commissions, or directly.

**Article 9. The Right to Nominate Candidates to the Office of People's Deputy of the Latvian SSR Local Soviets**

The right to nominate candidates to the office of people's deputy of the Latvian SSR local soviets shall belong to labor collectives, collectives of pupils and students, public organizations, meetings of voters at their place of residence, and military service personnel at their military units.

**Article 10. Instructions by the Voters to the People's Deputies of the Latvian SSR Local Soviets**

Voters shall give instructions to their own deputies.

The procedure for introducing, summarizing, examining, and carrying out the instructions shall be established by the Constitution of the Latvian SSR and the laws of the Latvian SSR.

**Article 11. Incompatibility of Status of a People's Deputy to an Latvian SSR Local Soviet and a Service Position**

Persons who are members of the executive committees of local soviets of people's deputies (with the exception of the chairmen of such executive committees), the directors of administrations, divisions of executive committees and their deputies, people's judges, state arbiters and procurators, as well as their deputies, cannot be simultaneously people's deputies of that local Soviet on whose territory they exercise their service functions.

**Article 12. Expenditures Connected with the Elections of People's Deputies to the Latvian SSR Local Soviets. Financial Support for Elections**

Expenditures connected with preparing and conducting the elections of people's deputies to Latvian SSR local soviets shall be covered by state funds. Financing an election campaign from other sources shall be prohibited.

Enterprises, institutions and organizations, as well as state and public organs shall be offered and granted, at the disposition of the electoral commissions, rooms and equipment necessary for preparing and conducting elections.

Candidates for the office of people's deputy to a local soviet and the voters shall not bear the expenditures connected with preparing and conducting elections.

**Article 13. Liability for Violating Laws on Elections of People's Deputies to Latvian SSR Local Soviets**

Persons who hinder by means of force, violence, threats, bribery, or any other illegal method the free exercise by citizens of their right to vote or be elected a people's deputy to a local Soviet, to carry out election propaganda, as well as members of electoral commissions, officials of state and public organs who falsify election documents, knowingly conduct an incorrect tally of the

votes, who violate the secrecy of balloting, or who commit any other violation of the present Law, shall be held criminally liable, as established by the Law. Persons who have published or disseminated by other means false information about a candidate for the office of deputy shall also be held criminally liable.

**II. Procedure for Scheduling Elections and Forming Election Districts**

**Article 14. Scheduling Elections of People's Deputies to Latvian SSR Local Soviets**

Elections of people's deputies to the local soviets shall be scheduled by the Latvian SSR Supreme Soviet not later than three months prior to the expiration of the term of office held by people's deputies of the Latvian SSR local soviets.

An announcement of the election day shall be published in the press.

**Article 15. Formation of Election Districts**

For elections of people's deputies on the territory of a local soviet, election districts shall be formed as follows:

—for a rayon and a city-district Soviet of People's Deputies—

up to 100 election districts;

—for a city (cities under republic-level jurisdiction) Soviet of People's Deputies—

up to 150 election districts;

—for a city (cities under rayon jurisdiction) of a settlement or village Soviet of People's Deputies—

up to 50 election districts.

For elections of people's deputies to a local Soviet there cannot be less than 15 election districts formed.

Within the limits of the norms established by the present Law, the number of election districts for the elections of people's deputies of each rayon or city (cities under republic-level jurisdiction) Soviet shall be determined by the Presidium of the Latvian SSR Supreme Soviet according to the presentation made by the appropriate Soviet of People's Deputies or its presidium, whereas for the elections of people's deputies to each city (cities under rayon jurisdiction), city-district, settlement, and village Soviet—to the higher-ranking Soviet of People's Deputies according to the presentation made by the appropriate Soviet of People's Deputies or its presidium, based on the population, territory, and other local conditions.

Election districts shall be formed correspondingly by rayon, city, city-district, settlement, and village soviets of people's deputies or their presidiums with an equal population throughout the entire territory of the given

Soviet of People's Deputies. In determining the boundaries of election districts, the administrative-territorial division shall be taken into account.

The number of election districts for elections of people's deputies to local soviets from military service personnel shall be determined by the Central Electoral Commission of the Latvian SSR, taking into consideration the proposals made by the appropriate local soviets of people's deputies and military units.

One people's deputy to the local Soviet shall be elected from each election district.

Lists of election districts with an indication of their boundaries and population shall be published by the appropriate Soviet of People's Deputies not later than 20 days after the elections have been scheduled.

### III. Election Precincts

#### Article 16. Formation of Election Precincts

In order to conduct the voting and tally up the votes during the elections of people's deputies to the Latvian SSR local soviets, the territory of the rayons, cities, city districts, settlements, and village soviets shall be divided into election precincts, common for the elections of people's deputies correspondingly of rayon and lower-level soviets, city, and city-district soviets. Election districts shall also be formed in military units and shall be included in election districts for elections of people's deputies to Latvian SSR local soviets from military service personnel.

On ships which are en route during election day election precincts can be formed which are included in the election districts at the place of the ship's registry, whereas election precincts formed on ships of a fishing kolkhoz shall be treated as belonging to the place where the kolkhoz board is located.

#### Article 17. Procedure and Norm for Forming Election Precincts

Election precincts shall be formed by rayon, city (except for cities under rayon jurisdiction), or city-district soviets of people's deputies, or their presidiums, taking into account the boundaries of the election districts. On ships which are en route on election day election precincts shall be formed by soviets of people's deputies or their presidiums according to the port of the ship's registry or at the place where the kolkhoz's board is situated. In military units the election precincts shall be formed by the unit commanders in coordination and agreement with the appropriate Soviet of People's Deputies or its presidium.

Election precincts shall be formed not later than 20 days after the scheduling of the elections. In military units and on ships which are en route on election day the election precincts shall be formed within the same time period, but in exceptional cases it may be done no later than five days prior to the elections.

Election precincts shall be formed with a number of no less than 20 and no more than 3,000 voters. In exceptional cases a local Soviet of People's Deputies or its presidium or a commander of a military unit shall form an election precinct with a larger number of voters.

The appropriate local Soviet of People's Deputies or its presidium shall establish an enumeration—standard within the boundaries of a rayon, city, or city district—of the election precincts, and shall inform the voters about the boundaries of each election precinct with an indication of the place where the electoral commission is located, as well as the rooms for voting.

### IV. Electoral Commissions

#### Article 18. System of Electoral Commissions

In order to conduct elections of people's deputies to rayon, city, city-district, settlement, and village Latvian SSR soviets, electoral commissions shall be formed as follows:

- a Central Electoral Commission of the Latvian SSR;
- rayon electoral commissions for elections of people's deputies to the rayon soviets;
- city electoral commissions for elections of people's deputies to the city soviets;
- city-district electoral commissions for elections of people's deputies to city-district soviets;
- settlement electoral commissions for elections of people's deputies to settlement soviets;
- village electoral commissions for elections of people's deputies to village soviets;
- precinct electoral commissions.

#### Article 19. Formation of the Central Electoral Commission of the Latvian SSR

The Central Electoral Commission of the Latvian SSR shall be formed by the Latvian SSR Supreme Soviet, taking into account the proposals made by rayon, city (cities under republic-level jurisdiction) soviets of people's deputies or their presidiums not later than the fifth day after the elections are scheduled; they shall include a chairman, two deputies, a secretary, and 35 commission members.

The term of office for the Central Electoral Commission of the Latvian SSR shall be five years.

#### Article 20. Powers of the Central Electoral Commission of the Latvian SSR

The Central Electoral Commission of the Latvian SSR shall be empowered to do the following:

- 1) exercise throughout the entire territory of the Latvian SSR monitoring controls on the execution of the present Law and ensure its uniform application; in case of

necessity, present an interpretation of the present Law to the Latvian SSR Supreme Soviet;

2) direct the activity of the electoral commissions, determine the procedure for making changes in the composition of the electoral commissions;

3) distribute monetary funds among the electoral commissions, see to it that the electoral commissions are provided with rooms, transportation, and communications; also examine other matters of providing material and technical items for the elections;

4) establish the forms of election ballots, lists of voters, records of the pre-election meetings and sessions of the electoral commissions, other election documents, models of ballot boxes and seals for the electoral commissions, and a procedure for storing election documents;

5) hear reports by the electoral commissions, state and public organs with regard to matters connected with the preparation and conduct of elections of people's deputies to the local soviets;

6) sum up the results of the elections of people's deputies to the Latvian SSR local Soviets for the republic as a whole and publish a report in the press concerning the election results;

7) examine statements and complaints regarding the decisions and actions of the electoral commissions and promulgate a final decision on them;

8) transmit to the investigative organs materials concerning violations of the Law on the elections of people's deputies to the Latvian SSR local soviets, materials which entail criminal liability;

9) exercise other powers in accordance with the present Law and other laws of the Latvian SSR.

#### **Article 21. Formation of Rayon, City, City-District, Settlement, and Village Electoral Commissions**

Rayon, city, city-district, settlement, and village electoral commissions shall be formed by the appropriate soviets of people's deputies or their presidiums not later than the 20th day after the elections have been scheduled; they shall consist of 7-13 members.

Representatives to the rayon, city, city-district, settlement and village electoral commissions shall be nominated by labor collectives or their councils, general meetings (plenipotentiary meetings) or the boards of kolkhozes, by collectives of pupils and students, rayon, city, or city-district organs of public organizations, as well as by meetings of military service personnel in military units.

The term of office of rayon, city, city-district, settlement, and village electoral commissions shall be five years.

#### **Article 22. Powers of Rayon, City, City-District, Settlement, and Village Electoral Commissions**

Rayon, city, city-district, settlement, and village electoral commissions for elections of people's deputies to rayon, city, city-district, settlement, and village soviets shall be empowered to do the following:

1) organize the conduct of elections on the territory of the rayon, city, city-district, settlement, and village Soviet and exercise monitoring controls on the execution of the present Law during the course of preparing for and conducting elections of people's deputies of the appropriate local soviet;

2) direct the activity of the precinct electoral commissions;

3) hear reports by the precinct electoral commissions, local state and public organs, directors and managers of enterprises, institutions, and organizations with regard to matters connected with preparing and conducting elections;

4) assist in organizing the nomination of candidates for the office of deputy, register the candidates who have been nominated for the office of deputy and issue them the appropriate certificates; provide for the publication of posters with biographical data about the candidates for the office of deputy, approve the text of the election ballots;

5) observe the drawing up of lists of voters and their presentation for universal familiarization;

6) monitor the provision of precinct electoral commissions with rooms, transportation, communications, and examine other matters of providing material and technical items for the elections;

7) provide, in accordance with the form established by the Central Electoral Commission of the Latvian SSR, the form for making election ballots for elections to the appropriate Soviet of People's Deputies.

8) register the elected people's deputies, sum up the results of the elections, publish a report on these election results and a list of the people's deputies who were elected, and issue certificates to the deputies concerning their election;

9) convey to the credentials commission of the appropriate Soviet of People's Deputies the documentation necessary for verifying the powers of the deputies;

10) adopt decisions concerning the conduct of repeat balloting and runoff elections;

11) monitor the observance of the requirements of the Law concerning questions connected with organizing and conducting the recall of people's deputies to the local soviets;

12) organize the elections of people's deputies to local soviets to replace recalled deputies and provide for their conduct;

13) examine statements and complaints regarding incorrect activities by precinct election commissions and promulgate decisions regarding them;

14) exercise other powers in accordance with the present Law.

#### **Article 23. Formation of Precinct Election Commissions**

Precinct electoral commissions shall be formed not later than the 30th day after the elections have been scheduled and shall comprise 5-19 persons.

Members to a precinct electoral commission shall be nominated by labor collectives or their councils, by collectives of pupils and students, by general meetings (plenipotentiary meetings), or by the boards of kolkhozes, rayon, city, city-district organs, public organizations, meetings of voters at their place of residence, and military service personnel at their units. Meetings of voters at their place of residence are entitled to nominate members to the precinct electoral commission if at least 50 voters participate in the meeting.

Precinct electoral commissions are approved by rayon, city (except for cities under rayon jurisdiction), and city-district soviets of people's deputies or their presidiums from among the nominated candidates, taking into account the representation of the population's principal social groups.

#### **Article 24. Powers of the Precinct Electoral Commissions**

The precinct electoral commissions shall be empowered to do the following:

1) draw up lists of voters for the precinct;

2) conduct the familiarization of the voters with the list of voters, accept and examine statements and complaints about inaccuracies in the list, and resolve the problem of making the appropriate changes in it;

3) accept election ballots or election envelopes from voters or from people entrusted by them who intend to be absent on election day from their place of residence;

4) announce to the population the date of the election and the place where the ballots are to be cast;

5) ensure the preparation of a room for voting and ballot boxes;

6) organize the voting in the election precinct on election day;

7) tally up the votes cast in the election precinct;

8) examine statements and complaints regarding questions of preparing the elections and organizing the voting and reach decisions on them;

9) exercise other powers in accordance with the present Law.

#### **Article 25. Organizing the Work of the Electoral Commission**

The chairman, deputy chairman, and secretary of the rayon, city, city-district, settlement, village, and precinct electoral commissions shall be elected at a session of the appropriate commission.

Sessions of the electoral commission shall be legally empowered if at least two-thirds of the commission members take part in them. Decisions of the commission shall be adopted by open voing by a majority of votes from the total body of the commission. Commission members who do not agree with its decision shall have the right to express a special, personal opinion, which shall then be added to the record in written form and sent for examination to the higher-ranking electoral commission.

The decisions taken by electoral commissions, adopted within the bounds of their powers, shall be binding for execution by all state and public organs, enterprises, institutions, and organizations.

The decisions and actions of an electoral commissions can be appealed to a higher-ranking electoral commission, and in cases provided for by the present Law, they may also be appealed to a court.

Members of an electoral commission, upon its decision, can be released during the period of preparing and conducting elections from their normal production or service duties, and they will be provided with at least their average level of wages by means of funds allocated for conducting elections.

A member of an electoral commission does not have the right to participate in campaign propaganda either for or against candidates for the office of people's deputy.

#### **Article 26. Assistance to Electoral Commissions in Exercising Their Powers**

State and public organs, enterprises, organizations, and officials are obliged to assist the electoral commissions in exercising their powers, to offer them the data and materials necessary for their work.

An electoral commission shall have the right to address themselves on matters connected with the preparation and conduct of elections to state and public organs, to enterprises, institutions, organizations, to officials, who are obliged to examine the matter presented to them and to reply to the electoral commission not later than the third day after the appeal.

#### **V. Lists of Voters**

##### **Article 27. List of Voters and Procedure for Drawing It Up**

A list of voters shall be drawn up for each election precinct and shall be signed by the chairman and the

secretary of the precinct electoral commission. Representatives of the public may be invited by the precinct electoral commission to participate in the work of drawing up such a list.

The executive committees of the city, city-district, settlement, and village soviets of people's deputies shall provide an accounting of the voters and shall transmit to the precinct electoral commissions data concerning the voters residing on the appropriate territory necessary for drawing up the lists of voters, and they shall render assistance in drawing up such lists.

The lists of military service personnel who are voters shall be drawn up on the basis of data submitted by the commanders of military units and the directors of military institutions.

Lists of voters for election precincts formed on ships which are en route on election day shall be drawn up on the basis of data submitted by the ships' captains.

The surnames of voters shall be indicated on the list of voters in a procedure suitable for organizing the voting.

#### **Article 28. Procedure for Including Citizens in a List of Voters**

A list of voters shall include all citizens who have reached the age of 18 by election day, who are permanent residents on the territory of the given election precinct at the time when the list is drawn up, and who have the right to take part in the voting. As applied by the present Law, the place of permanent residence shall be deemed to be the place of permanent registration, with the exception of pupils and students at educational institutions; their place of residence shall be deemed the place of their registration during their period of studies.

The list of voters can also include those citizens of the Latvian SSR who are located beyond the borders of the republic who, in accordance with the legislation, retain their legal residence in connection with being called up for a period of active military service, work or study assignment.

The list of military service personnel who are voters shall include all military service personnel engaged in active military service on the territory of the appropriate Latvian SSR local Soviet of People's Deputies, as well as family members of military service personnel and other voters if they reside on the territory occupied by military units, regardless of whether they are citizens of the Latvian SSR.

The list of voters for an election precinct formed on a ship which is en route shall include members of the ship's crew who have been sailing for more than 25 days prior to the elections and who are en route on election day. These voters shall be excluded from the list of voters in the election district at the place of their permanent residence.

#### **Article 29. Familiarizing Citizens with the Lists of Voters and the Right to Complain About and Appeal Inaccuracies in the List of Voters**

Lists of voters shall be present for universal familiarization a month prior to the elections.

Citizens shall be ensured the opportunity to familiarize themselves with the list of voters and to verify the accuracy of its composition in the area of the precinct election commission.

Each citizen shall be accorded the right to complain about and appeal any non-inclusion, incorrect inclusion in the list, as well as any inaccuracies included in the list with regard to indicating data about the voter. A statement concerning such errors in the list shall be examined by the precinct electoral commission, which is obliged not later than within two days, or, if it is on the eve of or on the election day itself, immediately, to examine the statement, to make the necessary corrections in the list, or to issue to the person making the statement a copy of the well-grounded decision concerning the rejection of his statement. This decision can be appealed not later than five days prior to the elections to the rayon (or city) people's court, which is obliged to examine the complaint within a three-day period. The decision of the rayon (or city) court shall be final. Any correction in the list of voters in accordance with the court's decision shall be promulgated immediately by the precinct electoral commission.

#### **VI. Nomination and Registration of Candidates to the Office of People's Deputy**

##### **Article 30. Time Periods for Nominating Candidates to the Office of People's Deputy of Latvian SSR Local Soviets**

Nomination of candidates to the office of people's deputy to Latvian SSR local soviets shall begin two months before and shall end one month before the elections.

##### **Article 31. Procedure for Nominating Candidates to the Office of People's Deputy of Latvian SSR Local Soviets**

Candidates for the office of people's deputy of rayon, city, city-district, settlement, and village soviets shall be nominated in accordance with election districts.

Nomination of candidates to the office of people's deputy of Latvian SSR local soviets shall be performed by labor collectives, collectives of pupils and students, public organizations active on the territory of the appropriate election district, as well as by meetings of voters at their place of residence and military service personnel at their military units.

Nomination of candidates for the office of deputy shall be conducted at general meetings (conferences) of labor collectives at enterprises, institutions, and organizations.

The collective of a branch or other sub-division shall also have the right to nominate a candidate for the office of deputy.

Nomination of candidates for the office of deputy shall be conducted at general meetings (conferences) of pupils and students of higher and secondary, specialized educational institutions and their divisions.

Nomination of candidates to the office of deputy shall be conducted by rayon, city, and city-district organs of public organizations, their primary organizations, as well as by the general meetings (legally empowered meetings) of kolkhozes and their sub-divisions.

A meeting of the voters at their place of residence in order to nominate candidates for the office of deputy shall be convoked by the appropriate Soviet of People's Deputies or its presidium in conjunction with the electoral commission or shall be conducted upon the voters' initiative. The meeting is legally powered if it is attended by at least the minimum number of voters residing on the territory of the appropriate district, as established by the rayon, city, city-district, settlement, or village electoral commission.

Meetings of military-service personnel with regard to nominating candidates for the office of people's deputy shall be convoked by the command of the military units or sub-divisions and shall be legally empowered when at least half of the personnel of the military unit or subdivision are present. Family members of military service personnel and other voters can participate if they live on the territory where the military unit is located. In exceptional cases the nomination of candidates for the office of people's deputy from military service personnel can be conducted at a meeting held by representatives of the military unit involved.

Not later than three days prior to conducting a meeting to nominate candidates for the office of deputy the appropriate electoral commission shall be informed of this, and announcements shall be posted in places accessible to everybody.

Before a meeting is opened, its legal competence shall be established on the basis of the results of registering its participants. The course of the meeting shall be reflected in the minutes, which shall be kept in accordance with Article 32 of the present Law.

Meetings shall create the conditions for nominating an unlimited number of candidates. Each participant in the meeting shall have the right to introduce a proposal concerning candidates for the office of deputy, to take part in their discussion, to support the proposed candidates or introduce proposals concerning their withdrawal. A participant in a meeting can propose for discussion his own candidacy for the office of deputy. The decision regarding the nomination of a candidate for the office of deputy shall be made at a meeting by open

or secret voting. The sequence of discussing the candidates, the order of voting, and other procedural matters shall be determined by the meeting.

Participants in a meeting can nominate one candidate for the office of deputy for each district of the appropriate local Soviet. A candidate shall be deemed nominated if he wins the votes of more than half of the participants at the meeting, or a majority of the total staff of a public organization. Moreover, every participant at the meeting or session shall have the right to vote for one candidate. The decision adopted shall be reported to the candidate for the office of people's deputy not later than two or three days afterward.

**Article 32. Minutes of meetings (sessions) concerned with nominating candidates for the office of people's deputy to the local soviets**

Minutes of a meeting (session) concerned with nominating candidates for the office of people's deputy to the local soviets shall be kept by a secretary elected by the meeting (session). The minutes shall indicate the following: the initiator who convoked the meeting, the name of the labor collective, collective of pupils and students, the organ of the public organization, populated center, city neighborhood in which a meeting of residents is being convoked; the total number of persons in the labor collective, the collective of pupils and students, the organ of the public organization, the inhabitants of the populated center or city neighborhood; the number of persons participating in the meeting (session); information about how the meeting was run, a brief exposition of the contents of the speeches and the proposals introduced; the results of the voting on the nomination of candidates for the office of people's deputy. The minutes shall also indicate those persons empowered to represent the collective, the organ of the public organization, or the meeting at the sessions of the electoral commissions.

The record shall append a list of persons attending the meeting, with an indication of their surnames, first names, patronymics, as well as their date of birth and place of employment or residence.

An excerpt from the record, in accordance with the form established by the Central Electoral Commission, shall be submitted within a three-day period to the rayon, city, city-district, settlement, or village electoral commission.

**Article 33. Registration of Candidates for the Office of People's Deputy to Latvian SSR Local Soviets**

Registration of candidates for the office of people's deputy by rayon, city, city-district, settlement, and village electoral commissions shall begin 50 days before and end 25 days before election day.

A decision about registering candidates for the office of deputy shall be made when the following documents are available: the minutes of the meetings (sessions) on nominating candidates for the office of deputy for the

given election district, as well as a statement from the candidate for the office of deputy regarding his consent to run for that particular election district. A person who has been nominated as a candidate for the office of deputy shall submit a statement to the electoral commission not later than the third day after the expiration of the time period for nominating candidates to the office of people's deputy to the Latvian SSR local soviets. Persons enumerated in Article 11 of the present Law, when they are nominated as candidates for the office of deputy, shall indicate in their statements their intentions to resign from the posts presently occupied in case they are elected to the office of deputy, or communicate in writing their request to have their names removed from the list of candidates.

A candidate for the office of deputy can be voted for a seat in one and the same Latvian SSR Soviet of People's Deputies only in one election district.

The appropriate electoral commission shall register candidates for the office of deputy who have been nominated with the observance of the requirements of the present Law. A refusal to register can be appealed within a three-day time period to the Latvian SSR Central Electoral Commission or to a court.

The electoral commission shall draw up a record concerning the registration of candidates for the office of deputy in accordance with the form established by the Latvian SSR Central Electoral Commission.

A candidate for the office of deputy cannot be a member of an electoral commission. A member of an electoral commission who has been nominated as a candidate for the office of deputy for the district on whose territory the electoral commission is functioning from the moment of his registration as a candidate for the office of deputy is deemed to have been relieved of his duties on the commission.

The appropriate rayon, city, city-district, settlement, or village electoral commission not later than the fourth day after the registration of candidates for the office of deputy shall publish a report on the registration, with an indication of the surname, first name, patronymic, year of birth, position held (occupation), place of employment and residence of each candidate for the office of deputy.

**Article 34. Change of Decision Regarding Nomination and Registration of a Candidate for the Office of People's Deputy to Local Soviets. Candidate's Removal of His Own Candidacy**

A labor collective, collective of pupils and students, organ of a public organization, meeting of voters at their place of residence, or military service personnel at their military unit which have nominated a candidate to the office of deputy to a local Soviet shall have the right, not later than five days prior to the elections, to change its decision regarding the nomination of a candidate to the office of deputy. The decision on this matter shall be

adopted according to the procedure provided for nominating candidates to the office of deputy and shall be submitted to the rayon, city, city-district, settlement, or village electoral commission. An abandonment by all the collectives and organizations of its own decision regarding the nomination of a particular candidate shall entail for a non-registered candidate a refusal to register his candidacy, whereas for a registered candidate it shall mean the abrogation of his registration.

A candidate for the office of deputy not later than five days prior to the elections can remove his own candidacy by directing a written statement concerning this matter to the appropriate electoral commission.

**Article 35. Procedure for Nominating Candidates for the Office of People's Deputy to the Latvian SSR Local Soviets To Replace Those Who Have Been Removed**

In the event of removal of candidates for the office of people's deputy to the local soviets after the time period has expired for registering candidates for the office of deputy, if the election district has no other candidates remaining, then the appropriate electoral commission shall direct to the labor collectives, collectives of pupils and students, public organizations, meetings of voters at their place of residence, or military service personnel at their military units a proposal to nominate new candidates for the office of deputy.

In the event of a change in the decision regarding the nomination of a candidate to the office of deputy or a candidate's removal of his own candidacy after the end of the time period for nominating candidates for the office of deputy, regardless of the presence and availability of other candidates in the election district, the appropriate electoral commission, upon the demand of the labor collectives, collectives of pupils and students, meetings of voters at their place of residence, or military service personnel, representing at least one-tenth of the voters of that particular district, shall adopt a decision to set an additional two-week period for nominating a candidate to replace the one who had been removed.

When it is impossible within the time remaining prior to the elections to nominate, register, and hold discussions on a new candidate for the office of deputy, the election of a deputy from that particular election district shall be held within a two-month time period after the general elections.

Nomination of candidates for the office of deputy to replace those who have been removed shall be conducted according to the procedure established by the present Law.

**Article 36. The Election Ballot**

The ballot shall include in alphabetical order all the registered candidates for the office of people's deputy to Latvian SSR local soviets, with an indication of the

surname, first name, patronymic, position held (occupation), place of employment and residence of each candidate for the office of deputy. Election ballots shall be printed in Latvian and Russian.

#### **VII. Guarantees of Activity of Candidates to Office of People's Deputies to Local Soviets**

##### **Article 37. The Right of Candidates to the Office of People's Deputy To Speak Out at Meetings, To Use the Mass Media, and To Obtain Information**

From the time of their registration by the electoral commissions, candidates for the office of people's deputy shall have equal rights, and they shall be granted equal opportunities to speak out at pre-election and other meetings, conferences, sessions, as well as in the press, on television, and radio.

State and public organs, the managers and directors of enterprises, institutions, and organizations, as well as the commanding officers of military units shall be obliged to render assistance to candidates for the office of people's deputy in organizing meetings with voters, in obtaining the necessary reference and information materials.

The creation of obstacles blocking meetings between a candidate for the office of deputy and the voters shall entail criminal liability.

##### **Article 38. Pre-Election Program of a Candidate for the Office of People's Deputy**

A candidate for the office of people's deputy shall speak out and issue a program of his own future activity. The program of a candidate for the office of deputy must not be directed at the violent change of the foundations of the Latvian SSR's state and public structure, contain war propaganda, calls for nationalistic hatred, or for the infringement of a citizen's constitutional rights, nor must it contain slander.

##### **Article 39. Proxy's of Candidate for Office of People's Candidate to Local Soviets**

A candidate for the office of people's deputy to the local soviets can have as many as five proxys, who help him in conducting his election campaign, carry out propaganda for his election to the office of deputy, represent his interests in inetrrelations with state and public organizations, voters, members of public organizations, as well as in the electoral commissions.

After his nomination, a candidate for the office of deputy shall determine the proxys of his own choice and convey information about them for their registration in rayon, city, city-district, settlement, and village electoral commissions. From the moment of his registration on, the proxys have the right to conduct propaganda for their own candidate. After the proxys have been registered, the electoral commission issues them certificates.

At the request of the candidate for the office of people's deputy, a proxy can temporarily carry out the public

duties connected with the elections; he can be released from performing his normal production or service duties, while retaining his average wage for his work place. The expenses incurred in connection with this to the enterprises, institutions, or organizations shall be reimbursed at their request by funds to be allocated for conducting the elections.

A member of an electoral commission cannot be a proxy.

##### **Article 40. Pre-Election Propaganda**

Labor collectives, collectives of pupils and students, voters at their place of residence, and public organizations which have nominated candidates for the office of deputy, as well as the proxys of candidates for the office of people's deputy, shall be granted the right to conduct unhampered propaganda for their own candidates.

Labor collectives, collectives of pupils and students, voters at their place of residence, and public organizations shall be offered by electoral commissions well-equipped rooms for assemblies and meetings, as well as mass media for conducting pre-election propaganda.

Citizens, labor collectives, collectives of pupils and students, and public organizations shall be guaranteed the opportunity to freely and universally discuss the political, practical-business, and personal qualities of the candidate for the office of deputy, and the program of his future activity, as well as the right to propagandize for or against candidates at meetings, in the press, or on television and radio.

Candidates for the office of people's deputy shall hold meetings with their voters either at assemblies or in other forms convenient for the voters.

Voters shall be informed as to the time and place of such assemblies and meetings well ahead of time, no later than three days before the time when they are to be held.

Propaganda shall not be allowed on election day.

##### **Article 41. Release of a Candidate for the Office of People's Deputy to a Local Soviet from Production or Service Duties in Order to Participate in Pre-Election Measures**

A candidate for the office of people's deputy, after registration and during the time of holding meetings with voters, appearing and making speeches at assemblies and meetings, on television and radio, shall be released from performing production or service duties, while retaining the average wages by means of funds allocated for conducting elections, nor shall such a candidate be subject to the collection of taxes or dues.

##### **Article 42. The Right of a Candidate to the Office of People's Deputy to Free Travel**

After registration, a candidate for the office of people's deputy shall have the right to free travel on all types of

passenger transport (with the exception of taxis) within the boundaries of the appropriate local Soviet.

#### **Article 43. Inviolability of a Candidate for the Office of People's Deputy**

A candidate for the office of people's deputy cannot be held criminally liable, detained, arrested, subjected to search or measures of an administrative penalty set forth in a court procedure without the consent of the Latvian SSR Central Electoral Commission.

In case there arises a threat to the inviolability of the person of a candidate for the office of people's deputy, to the members of his family or his property, the state shall guarantee their safety.

### **VIII. Procedure of Voting and Summing Up Election Results. Registration of People's Deputies**

#### **Article 44. Time and Place of Voting**

During elections of people's deputies to local soviets voting shall be held from 0700 hours to 1200 hours local time. The electoral commission shall inform the voters concerning the time and place of the voting not later than 10 days prior to the elections.

At election precincts formed on ships and in military units the precinct electoral commission can declare the voting to be completed at any time, provided that all the voters included in the list have cast their ballots.

#### **Article 45. Organization of Voting**

Voting shall be conducted in areas which must be outfitted with a sufficient number of booths or rooms for secret voting; places must be set aside for handing out the election ballots, and election ballot boxes must be set up. The ballot boxes must be set up in such a way that the voters, when approaching them, are obliged to pass through the booths or rooms for secret voting.

The responsibility for organizing the voting, ensuring the secrecy of the voters' expressing their free will, outfitting the areas and maintaining the necessary order in them shall be borne by the precinct electoral commission.

On election day, before the voting begins, the ballot boxes shall be sealed with lead or otherwise sealed by the chairman of the precinct electoral commission in the presence of the commission members.

Each voter shall vote individually; voting on behalf of other persons shall not be allowed. The election ballots shall be handed out based on the list of voters of the given election precinct upon presentation of a passport or other proof of identity. When the election ballots are handed out, an appropriate mark shall be made in the list of voters.

In cases where certain voters, for reasons of health or other reasons, cannot come to the area for voting, the precinct electoral commission at their request shall assign some commission members the task of organizing

the voting at the place where these voters are staying. In such cases at least two commission members shall take part in organizing the voting.

#### **Article 46. Conducting the Voting**

The election ballots shall be filled out by voters in a booth or room for secret voting. When the ballots are being filled out, the presence of anyone at all except for the voter shall be prohibited. A voter who is incapable of filling out the ballot on his own shall have the right to invite into the booth or room another person of his own choosing, except for a member of the electoral commission.

When filling out each ballot, a voter shall leave on it the surname of that candidate for whom he is voting, while crossing out the surnames of the remaining ones.

The voter shall drop the filled-in ballot into the ballot box.

#### **Article 47. Procedure for Voting by Voters Who Are Absent on Election Day at Their Place of Residence**

A voter who does not have the opportunity to be at his place of residence on election day (he might be on a term of military service beyond the borders of the republic, on a trip to a sanatorium, a rest home, sent to an institution for medical treatment; he might be on a business trip, engaged in studies, on leave, etc.) shall have the right to fill out election ballots ahead of time at his place of residence and transmit them to the precinct electoral commission.

A voter can obtain election ballots at the election precinct not earlier than 25 days before the election day. The election ballots shall be handed out to the voter by a member of the precinct electoral commission, based on the list of voters, upon presentation of a passport or another proof of identity; and a mark shall be made concerning this in the list.

The voter, after receiving the election ballots under conditions which exclude any monitoring controls over his freely expressed will, shall cross out on the ballots the surnames of the candidates for the office of deputy against whom he is voting and shall drop the ballots in a special, sealed ballot box for voting for those voters who will be absent from their place of residence on election day.

In cases where a voter is deprived of the opportunity to personally obtain election ballots in the election precinct at his place of residence (in connection with being in the hospital, other stationary treatment institutions, or for other reasons), he shall have the right to entrust another person with the task of obtaining a ballot by following the procedure established by law.

Such a voter's proxy shall be given election ballots in an election envelope. The election documents shall be handed to the voter's proxy by a member of the precinct electoral commission in accordance with the list of

voters and upon presentation of the voter's proof of identity, concerning which a mark shall be made in the list of voters.

After receiving the election ballots and election envelope from his proxy, the voter shall place his election ballots into the election envelope, having first crossed out on the ballots the surnames of those candidates for the office of deputy against whom he is voting. The voter shall convey his sealed election envelope to his proxy, who, at the election precinct prior to the expiration of the time period for the elections, shall drop the envelope into the ballot box for voting by voters who will be absent from their place of residence on election day.

#### **Article 48. Procedure for Voting by Voters Sailing En Route**

Members of a ship's crew who are sailing en route on election day shall vote in an election district formed on the ship.

Voting on board a ship shall be conducted and the votes tallied in accordance with the present Law. The results of the voting shall be immediately reported to the rayon, city, city-district, settlement, or village electoral commission.

Members of a ship's crew who are en route but have available election ballots in the election precincts at their place of residence shall vote according to the procedure provided for by Article 47 of the present Law.

#### **Article 49. Tallying the Votes at an Election Precinct**

Tallying the votes at an election precinct shall be carried out separately for each election district and for each candidate for the office of deputy.

The election ballot boxes shall be opened up by the precinct electoral commission after the commission chairman has declared the voting to be completed. Opening up the ballot boxes prior to the completion of voting shall be prohibited. Prior to opening up the ballot boxes, all the unused election ballots shall be counted and destroyed by the electoral commission.

Based on the list of voters, the precinct electoral commission shall ascertain the total number of voters in the precinct, as well as the number of voters who have obtained ballots. Based on the ballots found in the ballot boxes, for each election district the commission shall ascertain the total number of voters who took part in the voting; the number of votes cast for and against each candidate for the office of deputy; and the number of ballots deemed invalid. Votes shall not be counted for the surnames of citizens which are added to the ballots by voters.

Also deemed invalid shall be election ballots of a non-standard form, those which, when voting, leave the names of more than one candidate, as well as ballots of voters who have voted prior to election day for candidates for the office of deputy who have revoked their

own candidacies or whose registrations have been abrogated. Ballots in which all the names have been crossed out shall be deemed valid, but with respect to them the votes shall be tallied as cast against each candidate. If doubts arise concerning the validity of an election ballot, the matter shall be resolved by the precinct election commission by means of a vote.

The results of the vote tally shall be examined at a session of the precinct electoral commission and shall be entered into a record to be compiled for each election district. The record shall be signed by the chairman, deputy chairman, secretary, and members of the commission, and shall be sent to the appropriate rayon, city, city-district, settlement, or village electoral commission.

The following shall be added to the record: special, personal opinions by commission members, statements and complaints received by the commission about violations permitted during the course of the voting or when the votes were being tallied, or an act drawn up in case damage was done to the lead or other seals on the ballot box.

#### **Article 50. Ascertaining the Election Results and Registering People's Deputies to the Latvian SSR Local Soviets**

The election results for districts and for appropriate soviets of people's deputies shall be ascertained by rayon, city, city-district, settlement, and village electoral commissions.

Based on the records of the precinct electoral commissions, the rayon, city, city-district, settlement, and village electoral commission for each district shall determine the following: the total number of voters, the number of voters who obtained election ballots, the number of voters who took part in the voting, the number of votes cast for and the number of votes cast against each candidate for the office of deputy, and the number of votes deemed invalid.

A candidate for the office of people's deputy of a Latvian SSR local Soviet shall be deemed elected if he has received in the elections more than half of the votes cast by voters taking part in the balloting. The electoral commission shall carry out the registration of the deputies elected for each district. Concerning the registration of people's deputies to the local soviets, a record shall be drawn up according to the form established by the Latvian SSR Central Electoral Commission.

A rayon, city, city-district, settlement, or village electoral commission can refuse to register deputies and can recognize elections as invalid because of violations of the present Law which have been allowed during the course of the elections or the vote tally.

Elections shall be deemed invalid if less than half the voters entered upon the lists of voters have taken part in them, and also in connection with the death of a candidate for the office of deputy if only one candidate has been registered for the district.

The appropriate rayon, city, city-district, settlement, or village electoral commission shall report on the results of the elections for the election districts not later than the fifth day after the elections. The report shall indicate the total number of citizens included in the list of voters, the number of voters who took part in the voting, the number of votes cast for and the number of votes cast against each candidate, the number of invalid ballots, the surname, first name, patronymic, position (occupation), party status, place of employment and residence of the elected deputy.

The rayon, city, city-district, settlement, or village electoral commission shall send a report on the election results to the Latvian SSR Central Electoral Commission within a three-day period.

#### **Article 51. Certificate and Chest Badge of a People's Deputy to an Latvian SSR Local Soviet**

A rayon, city, city-district, settlement, or village electoral commission, after registration, shall issue to each elected people's deputy a certificate concerning his election.

After approval by the appropriate Soviet of People's Deputies of the powers of the elected deputies, the certificates of their election of deputies shall be exchanged for their deputies' certificates. The deputies shall also be issued the chest badges of a people's deputy to an Latvian SSR local Soviet.

#### **IX. Repeat Voting, Runoff Elections, and Elections of People's Deputies to Latvian SSR Local Soviets to Replace Deputies Who Have Been Removed**

##### **Article 52. Repeat Voting**

If balloting was conducted for more than two candidates for the office of people's deputy to an Latvian SSR local Soviet, and none of them was elected, the rayon, city, city-district, or village electoral commission shall adopt a decision to conduct a repeat election in the district between the two candidates for the office of deputy who received the greatest number of votes. The electoral commission shall report on its decision to the Latvian SSR Central Electoral Commission and shall inform the voters of the district concerned.

The repeated voting in the election district shall be conducted not later than a two-week period with the observance of the requirements of the present Law.

That candidate for the office of people's deputy to an Latvian SSR local Soviet shall be deemed elected who has received in the repeated election the greatest number of votes from voters who have taken part in the balloting in relation to the other candidate. If on the day of balloting in the election district there has remained one candidate, he shall be deemed elected if he receives more than half of the votes of voters who have taken part in the voting.

#### **Article 53. Runoff Elections**

If with regard to an election district ballots have been cast for no more than two candidates for the office of people's deputy to Latvian SSR local soviets, and no one of them was elected, or the elections for the election district were deemed invalid or non-operative, or the repeated voting did not allow the determination of an elected deputy, the rayon, city, city-district, settlement, or village electoral commission shall adopt a decision on conducting runoff elections in the election district. Moreover, it can adopt a decision concerning the necessity for conducting elections by precinct electoral commissions in a new composition. Voting shall be conducted in the same election precincts and using the lists of voters that were drawn up for conducting the general elections.

Runoff elections shall be conducted within a period of not more than two months after the general elections. The formation of precinct electoral commissions, the registration of candidates for the office of deputy, and other measures shall be conducted in the procedure established by the present Law.

#### **Article 54. Conducting Elections of People's Deputies to Latvian SSR Local Soviets To Replace Those Who Have Been Removed**

In the event that an Latvian SSR local Soviet of People's Deputies deems that the powers of certain people's deputies are non-operative, as well as in the event that a deputy is recalled, or a deputy's powers are abrogated for other reasons, new elections shall be conducted in the appropriate election districts within a three-month period from the moment when the deputy is removed. The elections shall be scheduled accordingly by the rayon, city, city-district, settlement, or village soviet of people's deputies, or its presidium not later than two months prior to their conduct, and they shall be organized with the observance of the requirements of the present Law. Moreover, the precinct electoral commissions shall be formed 50 days prior to the elections, and the registration of the candidates for the office of deputy shall be completed 25 days prior to the elections.

In the event that a people's deputy to an Latvian SSR local Soviet is removed less than six months before the expiration of the term of office of the people's deputies of the Latvian SSR local soviets, the election of a new people's deputy to replace the one who was removed shall not be conducted.

*A. Gorbunovs, chairman,  
Latvian SSR Supreme Soviet Presidium;  
I. Daudiss, secretary,  
Latvian SSR Supreme Soviet Presidium.*

## Moldavian SSR

[Moldavian SSR Draft Law on Elections of People's Deputies for Local Soviets published in FBIS-SOV-89-211, 2 Nov 89]

### Moldavian SSR Local Election Law Comparison 905A0012A

[Editorial Report] Kishinev SOVETSKAYA MOLDAVIA in Russian on 30 November 1989 carries on pages 2-4 the Moldavian SSR Law of the Moldavian SSR on Election of Deputies to Local Soviets of People's Deputies of the Moldavian SSR. Comparison of the text of the law with that of the draft as published in SOVETSKAYA MOLDAVIA on 19 September 1989, pp 3-4 reveals the following changes in the draft to have been incorporated in the law as adopted:

#### In Article 3:

In paragraph two, "equal: each voter"; is changed to "equal: voters in each electoral district."

Paragraph three of draft, concerning sexual equality in voting, is deleted.

In paragraph three (paragraph four of draft), following the words "Armed forces personnel", the phrase "in military units located in the Moldavian SSR" is added.

#### In Article 5:

In paragraph one, at the beginning of the sentence, the word "Free" is added.

In paragraph two the wording is changed; after the words "free and secret", it reads "it is forbidden to influence a voter's will through force, fraud, threat or other illegal method, or to control the will of voters."

In Article 7, paragraph five, after the words "preparation and conduct of elections", the phrase "deputies of local soviets of people's deputies of the Moldavian SSR" is added. Such changes are made in Article 8. Paragraph six is added: "Interference of representatives in the work of electoral commissions is not allowed."

In Article 8, paragraphs one and two, after the word "elections" the words "deputies of local soviets of people's deputies of the Moldavian SSR" are added.

In Article 10, paragraph three, after the word "examining", the word "accounting" is deleted and "law" is changed to "legislation."

#### In Article 12:

In paragraph two, the final phrase is changed from "from the republic budget" to "only through state resources, allocated for elections. The financing of election campaigns through other resources is not allowed."

The final paragraph of draft, which states that candidates and voters are not responsible for election expenses, is deleted.

#### In Article 15:

Paragraph two combines paragraphs two and three of draft; after the words "electoral district", the phrase "with a roughly equal number of voters" is added.

In the final paragraph, "quantity of voters" is changed to "number of voters."

In Article 17, paragraph two, the final sentence is changed to read: "In military units election precincts are formed by the soviets of people's deputies or their presidia in rayons, cities (other than cities of rayon subordination), and rayons in cities at the representation of the commanders of the units or military formation."

#### In Article 18:

In paragraph three, following the words "electoral commissions", the phrase "for elections of local soviets of peoples' deputies of the Moldavian SSR" is added.

In paragraph 6, and in subsequent occurrences throughout the draft law, the words "local soviets of people's deputies", are changed to "local soviets of people's deputies of the Moldavian SSR". Such changes are made in Articles 24, 32, 33, 34, 35, 37, 38, 39, 40, 41, 42, 47, in title of Section IX; 49, 51, and 52.

In Article 19, paragraph two, after the words "soviets of people's deputies", the words "the appropriate organs of public organizations" are changed to "or their presidia."

In Article 20, part (6), after the words "summarizes the results of elections for the republic", the words "as a whole" are added; part (8) is added: "Transfers for the examination of the appropriate investigative authorities and other organs, and to officials, materials on the elections of local soviets of people's deputies of the Moldavian SSR. It informs voters about the measures taken." Part (9) is part (8) of draft.

#### In Article 21:

In paragraph two, the wording is changed to read: "Representatives to rayon, city, rayon in city, settlement and rural election commissions are nominated at meetings (conferences) of labor collectives, collectives of pupils and students, public organizations (meetings of authorized representatives), kolkhozes, and also rayon, city, rayon in city organs of public organizations, their primary organizations, meetings...military units."

Paragraph three reads: "Representatives in precinct electoral commissions are nominated at meetings (conferences) of labor collectives, collectives of pupils...units." The words "or boards of kolkhozes" are changed to "of kolkhozes."

Paragraphs three and four are paragraphs four and three of the draft, respectively.

In Article 22, paragraph three, after the words "soviet of people's deputies" the words "or their presidia" are added.

In Article 23:

Part (5) is changed to read: "Sees that lists of voters are compiled and made generally available."

In part (7), the phrase "registers nominated candidates for deputy and entrusted individuals and gives them the appropriate certificate" is added.

Part (10) of draft is renumbered as part (8), part (8) of draft as part (9), and parts (11) through (18) of draft as (10) through (17) respectively.

In part (15), the wording is changed to: "Examines applications and complaints for solution and action by precinct electoral commissions for election of deputies in the appropriate soviet and makes decisions regarding them."

In part (17), after the words "the present Law," the phrase "and other laws of the Moldavian SSR" is added.

In Article 24, paragraph two, after the words "soviet of people's deputies" the phrase "or their presidia", is added. Paragraphs two and three of the draft are combined.

In Article 25, part (9) of draft is renumbered as part (8). Paragraph (8) of draft, which covers repeat and runoff elections, is deleted. In Article 28, paragraph three, after the words "give electoral commissions," the words "about voters living in the respective territories" are added.

In Article 32:

Paragraph three is changed to read: "Candidates for deputy are nominated by labor collective, rayon, city, rayon in city organs of public organization, their primary organizations, collectives of pupils and students of secondary specialized and higher educational institutions engaged in daytime education and located within the territory of the respective soviet, meetings of voters in their place of residence and armed forces personnel in their military units."

Paragraph four is paragraph five of draft, changing, after the word "organization," the phrase "located in the territory of the respective electoral district" to the phrase "general meetings (meetings of authorized representatives) and kolkhoz collectives."

Paragraph six is paragraph eight of draft, deleting after the words "branch or other units" the words "having at least 100 and 50 workers respectively." Paragraph six, which covers the rights of collectives to nominate candidates, is deleted.

Paragraph seven is paragraph nine of draft, changing "at conferences of collectives of pupils and students" to "from collectives of pupils and students at their conferences."

Paragraph eight is a new, additional paragraph: "Not later than 3 days prior to the meeting to nominate a candidate for deputy, the appropriate rayon, city, rayon in city, settlement or rural electoral commission is informed of this."

Paragraph nine is paragraph ten of draft; after the words "the public independent activity of the population", the words "or groups of at least 25 voters in an electoral district" are added.

Paragraph ten adds to paragraph eleven of draft (at start of paragraph) the sentence: "Proposals to hold a voters' meeting at a place of residence should be examined by the soviet of people's deputies or its presidium within 3 days."

Paragraph eleven is paragraph twelve of draft, changing "at least 50 voters" to "—at least two-thirds of voters."

Paragraph twelve is paragraph thirteen of draft.

Paragraph thirteen combines paragraphs fourteen and fifteen of draft.

Paragraph fourteen is paragraph sixteen of draft, adding, after the words "opening the meeting", the phrase "for nominating candidates to deputy of local soviets of people's deputies of the Moldavian SSR."

Paragraph fifteen is paragraph seventeen of draft, replacing, in the first sentence, "quantity" with "number" and, in the second sentence "sobstvennyyu" with "svoyu" for "his own." In the third sentence, after the words 'of pupils and students, the words "joint meeting of several collectives", are deleted. Following the words "armed forces personnel by military unit", the words "nominate one candidate for deputy per electoral district" are changed to "nominate only one candidate for deputy for each electoral district."

Paragraph sixteen is paragraph eighteen of draft, changing "people's deputies" to "deputies."

Paragraph seventeen is paragraph nineteen of draft, changing "agreement" to "announcement of agreement."

Paragraph eighteen is paragraph twenty of draft, adding, after "Candidates", the phrase "for deputy of local soviets of people's deputies of the Moldavian SSR, as a rule"; and deleting, after the words "working or living", the phrase "within the limits of the rayon, city" and, after the words "on the territory", the words "of which it is located."

Paragraph nineteen is paragraph twenty of draft.

## In Article 33:

Paragraph four, combines paragraphs four and five of draft, adding, at the end of the paragraph, paragraph seven of draft: "The electoral commission compiles a protocol on the registration of candidates for deputy."

Paragraph five is paragraph six of draft, deleting "people's."

Paragraph six is paragraph eight of draft.

Paragraph seven is paragraph nine of draft.

Paragraph eight is paragraph ten of draft, adding, after the word "publishes", the words "in the press."

In Article 34, paragraph three, the word "announcement" is changed to "written announcement."

In Article 35, paragraph two, after the words "registration deadline," the phrase "candidates for deputy" is added.

In Article 38, paragraph two is changed to: "A candidate for deputy of local soviets of people's deputies of the Moldavian SSR informs voters of his production, service and public activities, and proposes a program. A candidate's program should not contain calls for anticonstitutional and other illegal acts."

## In Article 40:

In paragraph four, after the words, "pupils and students", the phrase "secondary specialized and higher educational institutions engaged in daytime education, voters' meetings at their place of residence and armed services personnel in their military units" are added; and the final words, "at meetings, in the press, on television and radio", are deleted.

In paragraph five, in the last sentence the words "organs of public organizations" are changed to "or its presidium."

In Article 43, paragraph two, the words "In election of local soviets of peoples' deputies of the Moldavian SSR" (at start of paragraph) and the words "local time" after the words "7 am to 8 pm" are deleted.

In Article 45, paragraph three replaces "Izbiratel" with "Golosyushchiy" (voter) and adds "for deputy."

## In Article 46:

Paragraph four deletes "and also" before the phrase "the number of voters."

In paragraph five, after the words "in an unauthorized manner" the words "and also ballots in which more than one candidate's name is marked during voting" are added.

## In Article 47:

In paragraph two, sentence one, the words "total number of voters in each district," is changed to "number of voters."

Paragraph four of draft is deleted. It states that if more than one deputy wins more than 50 percent of vote, the winner is the one with the most votes.

## In Article 48:

Article 48 is Article 52 of draft.

The wording of paragraph two is changed to read: "After the publication of a list of registered deputies, the appropriate rayon, city, rayon in city, settlement or rural electoral commission issues each elected deputy a certificate of his election."

Paragraph three adds "elected" after the word "authority" and changes "deputy certificate" to "certificate of deputy of respective local soviets of people's deputies of the Moldavian SSR"; this paragraph includes final paragraph of draft.

Article 49 is 48 of draft. Paragraph two combines paragraphs two, three and four of draft.

Article 50 is 49 of draft.

Article 51 is 50 of draft.

The wording of paragraph two, sentence three is changed to read: "Precinct electoral commissions are formed a month prior to elections, the nomination of candidates begins 2 months prior to elections, their registration begins a month and ends 20 days prior to elections."

Article 52 is 51 of draft.

## RSFSR

## RSFSR Draft Law on Elections of People's Deputies for Local Soviets

18001647A Moscow SOVETSKAYA ROSSIYA  
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[("Draft Law of the Russian Soviet Federated Socialist Republic on Elections of People's Deputies of the RSFSR Local Soviets of People's Deputies")]

## [Text] I. General Principles

## Article 1. The Foundations of Elections of People's Deputies of Local Soviets of Peoples Deputies in the RSFSR.

Elections of people's deputies of local soviets of people's deputies in the RSFSR are conducted on the basis of single-mandate and multiple-mandate election okrugs on the principle of general, equal and direct electoral franchise and a secret vote.

## Article 2. General Electoral Franchise.

Elections of people's deputies of local soviets are general: Citizens of the RSFSR who have attained 18 years of age have the right to vote and be elected.

Direct or indirect restrictions of any kind on the electoral rights of citizens of the RSFSR based upon origin, social

and property status, racial and ethnic affiliation, sex, education, language, attitudes toward religion, length of residence in a given locality, and type and character of employment is prohibited.

Mentally ill citizens recognized as incompetent by the court, persons held in places of detention, as well as persons held in places of mandatory medical treatment based on court decision, shall not participate in elections.

### **Article 3. Equal Electoral Franchise**

Elections of people's deputies of local soviets are equal: A voter in any election okrug has a single vote; voters participate in elections on an equal basis.

Women and men have equal voting rights.

Military personnel enjoy voting rights on an equal footing with all citizens.

### **Article 4. Direct Electoral Franchise**

Elections of people's deputies of local soviets are direct: People's deputies are elected by the citizens directly.

### **Article 5. Secret Vote**

Balloting in elections of people's deputies of local soviets is secret; supervision of voters' expression of will is not permitted.

### **Article 6. Voting Rights of Citizens of Other Union Republics**

Citizens of other union republics within the territory of the RSFSR enjoy the right to vote and be elected people's deputies of local soviets on an equal footing with citizens of the RSFSR.

### **Article 7. Conduct of Elections by Electoral Commissions**

Elections of people's deputies of local soviets are conducted by electoral commissions, which are comprised of representatives of labor collectives, public organizations, and meetings of electors by place of residence and of military personnel by military unit.

### **Article 8. Publicity When Preparing and Conducting Elections of People's Deputies of Local Soviets**

The preparation and conduct of elections of people's deputies of local soviets is carried out openly and publicly by electoral commissions, labor collectives, and public organizations.

Electoral commissions shall inform the citizens of their work, of the formation of electoral okrugs, of the composition, location, and working hours of electoral commissions, and voter lists. Electoral commissions shall advise citizens of the results of registration of candidates for people's deputy, of biographical data concerning the registered candidates, of the results of balloting for each candidate and of the results of elections.

Representatives of labor collectives, public organizations, meetings of electors by place of residence and of military personnel by military unit, of higher-standing electoral commissions, of the organs of state power, their trusted agents, and also representatives of the press, television and radio have the right to be present at sessions of electoral commissions, including during the registration of candidates for deputy, the sealing of ballot boxes before the beginning of balloting, the counting of votes for the election okrug, the determination of the results of elections by okrugs, and the totalling up of the overall results of elections. The authority of the indicated representatives must be verified by an appropriate document or the decision of a labor collective or a meeting of voters by place of residence or of military personnel by military unit. The intention of representatives to be present on election day at a polling station or at sessions of electoral commissions must be communicated to the corresponding electoral commissions no later than two days before the elections. Interference by the indicated representatives in the work of the commissions is not permitted.

Electoral commissions, state and public organs, and labor collectives shall make available to the mass information media materials relating to the preparation and conduct of elections.

### **Article 9. Participation of Citizens, Labor Collectives and Public Organizations in the Preparation and Conduct of Elections of People's Deputies of Local Soviets**

Citizens of the RSFSR take part in the preparation and conduct of elections of people's deputies of local soviets both through labor collectives, public organizations, collectives of pupils and students of secondary special and higher day-study educational institutions, meetings of voters by place of residence and of military personnel by military unit, okrug pre-election meetings, and directly.

Labor collectives and public organizations participate in the preparation and conduct of elections of people's deputies of local soviets both through their representatives in electoral commissions and directly.

### **Article 10. The Right to Nominate Candidates for People's Deputy of Local Soviets**

The right to nominate candidates for people's deputy of local soviets belongs to labor collectives, public organizations, collectives of pupils and students of secondary special and higher day-study educational institutions, meetings of voters by place of residence and of military personnel by military unit.

### **Article 11. Mandates of Voters to People's Deputies of Local Soviets**

Voters give mandates to their deputies.

The procedure for introducing, generalizing, examining and organizing fulfillment of mandates is established by the legislation of the USSR and the RSFSR.

**Article 12. Incompatibility of the Status of People's Deputy of a Local Soviet with an Official Position**

Persons belonging to executive committees of local soviets of people's deputies, with the exception of the chairmen of these organs, heads of departments and administrations of executive committees of local soviets, judges and state arbiters, may not at the same time be people's deputies of the local soviet to which they are appointed or elected.

**Article 13. Expenditures Connected with Elections of People's Deputies of Local Soviets. Material Support of Elections**

Expenditures connected with the preparation and conduct of elections of people's deputies of local soviets are covered at state expense. Utilization of the funds of enterprises, institutions, organizations, public organizations, and individual citizens is not permitted.

Enterprises, institutions and organizations, state and public organs shall make available for the use of electoral commissions accommodations, equipment, and transportation facilities necessary for the preparation and conduct of elections.

Candidates for people's deputy of local soviets, their agents, and voters shall not bear any expenses in connection with the preparation and conduct of elections.

**Article 14. Responsibility for Violations of the Law on Elections**

Persons who, through pressure, deceit, threat or other means, prevent citizens of the RSFSR from exercising their voting rights, from being elected people's deputies of local soviets, and from carrying on pre-election agitation, as well as members of electoral commissions and officials of state and public organs who are involved in forgery of election documents, in intentionally incorrect counting of votes, in violations of the secrecy of the ballot, or in permitting other violations of the present law, shall bear the consequences prescribed by law. Persons who have published or by other means have disseminated intentionally false information about a candidate for deputy shall also be called to account.

When a candidate for deputy violates the present law, the corresponding electoral commission shall warn the candidate for deputy and, in the case of a repeated violation, may rescind its decision concerning his registration.

Statements concerning violations of the law on elections which reach electoral commissions and state and public organs during the period of preparation for elections or subsequent to elections must be examined within a period of fifteen days, and those received on the day of elections—immediately.

**II. Setting of Elections. Number of People's Deputies of Local Soviets and Procedures for Formation of Election Okrugs****Article 15. Setting of Elections**

Elections of people's deputies of all local soviets are conducted simultaneously and shall be set by the RSFSR Supreme Soviet not later than three months before expiration of the terms of the peoples deputies of local soviets.

An announcement of the day of elections shall be published in the press.

**Article 16. Numbers of People's Deputies of Local Soviets and the Procedure for Forming Election Okrugs**

Those elected to local soviets of people's deputies may include:

- up to 250 deputies to a kray or oblast soviet of people's deputies;
- up to 450 deputies to the Moscow City Soviet of People's Deputies;
- up to 400 deputies to the Leningrad City Soviet of People's Deputies;
- up to 100 deputies to the soviet of people's deputies of an autonomous oblast;
- up to 75 deputies to the soviet of people's deputies of an autonomous okrug;
- up to 75 deputies to a rayon soviet of people's deputies;
- up to 200 deputies to the city soviet of people's deputies of cities of kray, oblast, and okrug subordination;
- up to 50 deputies to the city soviet of people's deputies of cities of rayon subordination;
- up to 100 deputies to a rayon soviet of people's deputies within a city;
- up to 150 deputies to rayon soviets of people's deputies in the cities of Moscow and Leningrad;
- up to 30 deputies to a settlement or village soviet of people's deputies.

Within the limits of the norms established by this article, at the proposal of corresponding soviets of people's deputies, the number of election okrugs shall be determined as follows for elections:

to a kray, oblast, and autonomous oblast soviet of people's deputies—by the RSFSR Supreme Soviet or its Presidium;

to the soviet of people's deputies of an autonomous okrug, rayon, city, city-rayon, village and rural soviets—by a higher-standing soviet of people's deputies or its presidium.

Election okrugs are formed by corresponding electoral commissions at the request of soviets or their presidiums, taking into consideration the administrative and territorial divisions and other characteristics of the territory and while basically maintaining equality in numbers of electors per single deputy mandate.

Elections of people's deputies of kray, oblast, autonomous oblast, autonomous okrug, city (cities which have rayon divisions), and rayon soviets of people's deputies are conducted on the basis of single-mandate election okrugs.

Elections of people's deputies of city (cities without rayon divisions), city-rayon, settlement, and village soviets are conducted on the basis of both multi-mandate and single-mandate election okrugs based on a decision by corresponding soviets of peoples deputies.

Elections to settlement and village soviets of people's deputies to which not more than 20 deputies are elected, upon the decision of the corresponding village and rural soviet, may be conducted on the basis of a general list of candidates for deputy. In this case, the territory of the soviet is a multi-mandate election okrug.

Multi-mandate election okrugs are formed within the boundaries of individual population points or points which are located in immediate proximity to one another, microrayons, blocks, streets, and other component parts of population points.

Lists of election okrugs, along with an indication of their boundaries and numbers of voters, shall be published by the corresponding election commissions no later than two and a half months before elections.

### III. Election Districts

#### Article 17. The Formation of Election Districts

For the purpose of balloting and tallying votes in elections of people's deputies of local soviets, the territory of rayons, cities, and rayons within cities [city-rayons] shall be divided into election districts. Election districts shall also be formed within military units.

In places where citizens are located in distant and inaccessible regions and also aboard vessels located at sea on the day of elections, election districts may be formed as a part of election okrugs on the basis of the place they are located or the place of the vessel's port of registration, respectively. Election districts may be established at polar stations.

The question of classifying election districts established aboard vessels located at sea on election day as a part of election okrugs for the election of people's deputies of local soviets shall be decided by the rayon, city, or

city-rayon election commission for the port of registration of the vessel. The question of assigning election districts established at polar stations to election okrugs for elections of people's deputies of local soviets shall be decided by the RSFSR Supreme Soviet or its Presidium.

#### Article 18. Procedures and Norms for the Formation of Election Districts

Election districts are established by rayon, city (besides cities of rayon subordination), and city rayon soviets of people's deputies or their presidiums, based on an agreement with corresponding election commissions. On vessels located at sea on election day, election districts shall be formed by the corresponding local soviets or their presidiums in keeping with the vessel's port of registration. In military units, election districts are established by local soviets or their presidiums at the request of the commanders of the units or military formations.

Election districts are established no later than two months before elections. In military units, and also in distant and inaccessible regions, on vessels located at sea on election day, and at polar stations, election districts are formed within the same period and, in exceptional cases, not later than five days before the elections.

Election districts are formed with not less than 20 nor more than 3000 voters.

The corresponding local soviet or its presidium shall notify the voters of the boundaries of each election district, with an indication of the location of the district election commission and its polling station.

### IV. Electoral Commissions

#### Article 19. System of Electoral Commissions

For the purpose of conducting elections of people's deputies, there shall be established:

kray, oblast, autonomous oblast, okrug (autonomous okrug), rayon, city, city-rayon, settlement and village electoral commissions;

okrug [okrughniy] electoral commissions for elections of people's deputies of kray, oblast, Moscow and Leningrad city, autonomous oblast, and autonomous okrug soviets of peoples deputies;

district [uchastkoviy] electoral commissions.

#### Article 20. The Formation of Kray, Oblast, Autonomous Oblast, Okrug (autonomous okrug), Rayon, City, City-Rayon, Settlement and Village Electoral Commissions for Elections of People's Deputies of Local Soviets

Kray, oblast, autonomous oblast, okrug (autonomous okrug), rayon, city, city-rayon, settlement and village electoral commissions shall be formed by corresponding soviets of people's deputies or their presidiums by open or secret ballot no later than 80 days before elections and shall be composed of 9-21 commission members.

Representatives to electoral commissions are nominated by labor collectives or their councils, by kray, oblast, autonomous oblast, okrug (autonomous okrug) rayon, city, city-rayon organs of public organizations, their primary organizations, and by meetings of voters by place of residence and of military personnel by military unit.

The term of operation of the electoral commissions enumerated in the first part of this article is five years.

**Article 21. Powers of Kray, Oblast, the Moscow and Leningrad City, Autonomous Oblast, and Okrug (autonomous okrug) Electoral Commissions for Elections of People's Deputies of Local Soviets**

A kray, oblast, the Moscow and Leningrad city, autonomous oblast, and okrug (autonomous okrug) electoral commission:

- 1) oversees implementation of the present law and ensures its uniform application within the territory of the corresponding soviet of people's deputies; when necessary, submits requests to the RSFSR Supreme Soviet for interpretation of the present law;
- 2) guides the activity of okrug and district electoral commissions;
- 3) establishes electoral okrugs;
- 4) distributes monetary funds to electoral commissions;
- 5) oversees the provision of accommodations, transportation, and communications to electoral commissions and examines other questions of material and technical support to elections.
- 6) ensures the preparation of ballots for elections of people's deputies of local soviets following the format established by the RSFSR Supreme Soviet Presidium;
- 7) hears communications from okrug and district electoral commissions, the executive and administrative organs of local soviets, enterprises, institutions and organizations, as well as organs of public organizations, concerning questions connected with the preparation and conduct of elections;
- 8) receives from okrug electoral commissions protocols concerning the registration of candidates for deputy and publishes reports on the composition of registered candidates for people's deputy of the corresponding local soviet;
- 9) receives from okrug electoral commissions protocols concerning the results of elections of people's deputies of the corresponding local soviet;
- 10) registers elected people's deputies of the corresponding local soviet, compiles the results of the elections as a whole for the kray, oblast, autonomous oblast, or autonomous okrug, publishes in the press a report of the results of elections and a list of the elected deputies;

11) transmits to the mandate commission of the corresponding soviet the documentation necessary for verification of the authority of people's deputies;

12) resolves questions connected with the conduct of runoff and repeat elections;

13) calls elections of people's deputies of the corresponding local soviet in place of deputies who have been removed and supports the conduct of these elections;

14) oversees procedures and time periods for the preservation of election documents as established by the RSFSR Supreme Soviet or its Presidium;

15) reviews applications and complaints concerning the decisions and actions of okrug and district electoral commissions and submits final decisions on them;

16) exercises other powers in accordance with the present law.

**Article 22. Authority of Rayon, City, City-Rayon, Settlement and Village Electoral Commissions for Elections of People's Deputies to Local Soviets**

A rayon, city, city-rayon, village and rural electoral commission:

- 1) oversees implementation of the present law on the territory of the corresponding local soviet of people's deputies;
- 2) establishes election okrugs;
- 3) guides the activities of district electoral commissions;
- 4) distributes monetary funds to district electoral commissions; supervises the provision of accommodations, transportation, and communications to district electoral commissions, and examines other questions of material and technical support to elections;
- 5) ensures preparation of election ballots for elections of people's deputies of local soviets in accordance with the form established by the RSFSR Supreme Soviet Presidium;
- 6) hears communications of district electoral commissions, executive and administrative organs of local soviets, directors of enterprises, institutions and organizations, and also of organs of public organizations, concerning questions connected with the preparation and conduct of elections;
- 7) oversees the compilation of lists of voters and makes them available for general public information;
- 8) organizes the nomination of candidates for people's deputy of the corresponding local soviet;
- 9) registers nominated candidates for people's deputy and their trusted agents and issues them appropriate certification;

- 10) publishes notices of the registered candidates for people's deputy of the corresponding local soviet;
- 11) makes provision for the publication of posters with biographical information concerning candidates for people's deputy;
- 12) together with labor collectives and public organizations, organizes meetings of candidates for people's deputy with voters both within labor collectives and at places of residence;
- 13) verifies the text of election ballots and supplies them to district electoral commissions;
- 14) receives from corresponding district electoral commissions protocols concerning voting results in election districts;
- 15) establishes and publishes in the press the results of elections of people's deputies of the corresponding local soviets;
- 16) registers elected people's deputies, issues to people's deputies certification of their election;
- 17) transmits to the mandate commission of the corresponding local soviet the documentation necessary for verification of the authority of people's deputies;
- 18) resolves questions connected with the conduct of runoff and repeat elections;
- 19) sets elections of people's deputies of the corresponding local soviet in place of deputies who have been removed and supports the conduct of these elections;
- 20) resolves questions connected with the recall of people's deputies of the corresponding local soviet;
- 21) oversees procedures and time periods for the preservation of election documents as established by the RSFSR Supreme Soviet or its Presidium;
- 22) reviews declarations and complaints concerning the decisions and actions of district electoral commissions and okrug pre-election meetings and reaches decisions regarding them;
- 23) exercises other powers in accordance with the present law.

**Article 23. Establishment of Okrug Electoral Commissions for Elections of People's Deputies of Local Soviets**

okrug electoral commissions for elections of people's deputies of kray, oblast, the Moscow and Leningrad city, autonomous oblast, and autonomous okrug soviets of people's deputies shall be established by the corresponding soviets or their presidiums by open or secret ballot no later than 70 days before elections and shall be composed of 9-19 commission members.

Representatives comprising okrug electoral commissions are nominated by labor collectives or their councils, by kray, oblast, autonomous oblast, okrug (autonomous

okrug), rayon, city, and city-rayon organs of public organizations, by their primary organizations, by popular public initiative organs, and by meetings of voters by place of residence and of military personnel by military unit.

In labor collectives having more than 150 workers, the nomination of representatives to okrug electoral commissions can be accomplished at meetings of the collectives or shops, departments, sectors, brigades, and other subdivisions of the enterprises, institutions and organizations if not fewer than 30 persons work in these subdivisions.

The term of operation of okrug electoral commissions ends when the corresponding local soviet of peoples deputies has recognized the authority of the elected people's deputies of the local soviets.

**Article 24. The Authority of Okrug Electoral Commissions for Elections of People's Deputies of Kray, Oblast, the Moscow and Leningrad City, Autonomous Oblast, and Autonomous Okrug Soviets of People's Deputies**

A okrug electoral commission for elections of people's deputies of kray, oblast, the Moscow and Leningrad city, autonomous oblast, and autonomous okrug soviets of people's deputies:

- 1) exercises oversight of the implementation of the present law within the territory of the election okrug;
- 2) hears communications of district electoral commissions, executive and administrative organs of local soviets, directors of enterprises, institutions and organizations, and also organs of public organizations concerning questions connected with the preparation and conduct of elections;
- 3) oversees the compilation of lists of voters by district electoral commissions and their presentation for general public familiarization;
- 4) organizes the nomination of candidates for people's deputy of the corresponding local soviet;
- 5) when necessary, conducts a okrug pre-election meeting and informs the voters of its results;
- 6) registers nominated candidates for people's deputy and issues them appropriate credentials, ensures the issuance of posters with biographical data about candidates for deputy;
- 7) registers the agents of candidates for deputy and issues them appropriate certification;
- 8) Organizes jointly with labor collectives and public organizations meetings of candidates for peoples deputy with voters both within labor collectives and at places of residence;
- 9) approves the text of the election ballot for the given election okrug, ensures the preparation of ballots and their supply to district electoral commissions;

10) establishes and causes to be published in the press the results of elections for the election okrug, issues the elected people's deputy certification of his election;

11) organizes the holding of runoff and repeat elections, and also elections of people's deputies to replace those who have been removed;

12) organizes work connected with the recall of a people's deputy;

13) reviews statements and complaints regarding the decisions and activities of district electoral commissions and okrug pre-election meetings and reaches decisions concerning them;

14) exercises other powers in accordance with the present law.

#### **Article 25. The Establishment of District Electoral Commissions**

district electoral commissions are established no later than 45 days before elections and are comprised of 5-19 members. In cases of necessity, upon the decision of the corresponding soviets of people's deputies or their presidiums, the size of district electoral commissions may be increased or reduced.

Representatives comprising district electoral commissions are nominated by labor collectives or their councils, by rayon, city, city-rayon organs of public organizations and their primary organizations, by popular public initiative organs, and by meetings of voters by place of residence and of military personnel by military unit.

In labor collectives with more than 150 workers, the nomination of representatives comprising district electoral commissions may be accomplished at meetings of the collectives of shops, departments, sectors, brigades and other subdivisions of the enterprises, institutions and organizations if not fewer than 30 persons work in these subdivisions.

district electoral commissions are formed by rayon, city (besides cities of rayon subordination) and city-rayon soviets of people's deputies or their presidiums, by open or secret ballot.

The term of operation of district electoral commissions ends simultaneously with the end of the term of office of okrug electoral commissions established under Article 23 of the present law.

#### **Article 26. Authority of District Electoral Commissions**

The district electoral commission shall:

1) compile a list of the voters for the district.

2) familiarize the voters with the list of voters, receive and examine statements regarding inaccuracies in the list, and decide questions of introducing appropriate changes to it;

3) in the event envisaged by Article 33 of the present law, receive from the voters their decisions, sealed in envelopes, and ensure the confidentiality of the voters' expression of will;

4) advise the public of the location of the district electoral commission and its working hours, and also of the day of elections and the place of voting.

5) ensure preparation of voting booths and ballot boxes;

6) organize voting within the electoral district on election day;

7) carry out a count of the votes cast within the election district;

8) examine statements and complaints concerning questions of the preparation of elections and the organization of balloting and reach decisions regarding them;

9) exercise other powers in accordance with the present law.

#### **Article 27. Procedures for the Nomination of Representatives Comprising Electoral Commissions and Changes in Their Composition**

For the purpose of determining the labor collectives and public organizations which nominate representatives as members of commissions, the corresponding soviets of peoples deputies or their presidiums may, when necessary, conduct meetings of authorized labor collectives and public organization located within the territory of the local soviet and within the boundaries of an election okrug or an election district.

The membership of electoral commissions is published for general information.

The chairman, deputy chairman, secretary, or a member of an electoral commission may be relieved of his duties within the commission by the soviet of people's deputies which established the commission, or its presidium, on the basis of his personal application or based upon the request of the labor collective, the organ of a social organization, or the meeting of voters by place of residence or of military personal by military unit which nominated him as a member of the commission, and also on the basis of and following the procedures established by Article 37 of the present law. The nomination and confirmation of a new representative as a member of the electoral commission shall be accomplished in accordance with procedures established by the present law.

#### **Article 28. Organization of the Work of Electoral Commissions**

The chairman, deputy chairman, and secretary of an electoral commission shall be elected at the first session of the corresponding commission.

A decision concerning the formation of an electoral commission and the resolution of an electoral commission concerning election of its leadership shall be brought to the attention of the voters.

The sessions of an electoral commission are legally valid if no less than two-thirds of the membership of the commission participate in them. Decisions of the commissions are made by open or secret ballot by a majority vote of the total membership of the commission. Members of a commission not in agreement with its decisions have the right to express a special opinion which shall be attached in written form to the protocol of the session of the electoral commission.

Fulfillment of decisions reached by electoral commissions reached within the limits of their competence is obligatory for all state and public organizations, enterprises, institutions and organizations.

Decisions and activities of an electoral commission may be appealed to a superior electoral commission and, under circumstances stipulated by the present law, to the courts.

A member of an electoral commission, including its chairman, deputy chairman, and secretary, may, upon the decision of the commission, be freed during the period of preparation and conduct of elections from the fulfillment of his production or professional responsibilities while retaining his average salary at the expense of funds allocated for the conduct of elections. At certain stages of the pre-election campaign, one additional member of an electoral commission may be freed of his responsibilities at the discretion of the corresponding rayon, city, or city-rayon electoral commission.

#### **Article 29. Assistance to Electoral Commissions in Carrying Out Their Responsibilities**

State and public organs, enterprises, institutions, organizations, and officials have an obligation to assist electoral commissions in carrying out their responsibilities and to provide them information and materials necessary for their work.

With regard to questions connected with the preparation and conduct of elections, an electoral commission has the right to turn to state and public organs and to enterprises, institutions, organizations, and officials, who are obliged to examine the question presented and to give the electoral commission an answer no later than within three days.

#### **V. List of Voters**

##### **Article 30. Lists of Voters and Procedures for Their Compilation**

A list of voters shall be compiled for each election district by the district electoral commission and shall be signed by its chairman and secretary. The district electoral commission may enlist the assistance of representatives of the public in the work of compiling the list.

The executive committees of city, city-rayon, settlement and village soviets of peoples deputies make a count of the voters and provide district electoral commissions with the information about voters living in the corresponding territory that is necessary for compilation of the voter list.

The list of military service voters located in military units, and also of the family members of military personnel and other voters if they reside in regions where military units are stationed, are compiled on the basis of data made available by the commanders of the military units. Military personnel living outside military units are included in lists of voters by place of residence on a general basis.

Lists of voters by election district established aboard vessels located at sea on election day and also at polar stations are compiled on the basis of data provided by the captains of the vessels and the directors of the polar stations.

The family names of voters are indicated in the list of voters in an order convenient for the organization of balloting.

##### **Article 31. Procedures for Including Citizens in the List of Voters**

All citizens of the RSFSR who have attained the age of 18 years before or on the day of elections, who are permanently or temporarily residing on the territory of the given election district, and who have the right to participate in the voting are included in the list of voters,

A voter may not be included in a list of voters in other election districts.

##### **Article 32. Acquainting Citizens with Voter Lists and the Right to Appeal Errors in the List of Voters**

Lists of voters shall be presented for general familiarization 15 days before elections.

Citizens are guaranteed an opportunity to familiarize themselves with the list of voters and to verify the correctness of its compilation within the working spaces of the district electoral commission.

Every citizen is afforded the right to appeal non-inclusion and incorrect inclusion in or exclusion from a list, as well as inaccuracies permitted in a list with regard to data concerning the voter. Complaints of inaccuracies in a list shall be examined by the district electoral commission, which is obliged within a period of two days, or on the eve or day of elections—immediately, to examine the appeal, to introduce necessary corrections to the list, or to provide the applicant with a copy of the reasons for its decision denying his appeal. No more than five days before the elections, this decision may be appealed to a rayon (city) court, which is obliged to examine the appeal within a three-day period. The decision of the rayon (city) peoples court is final. A

correction to a list of voters in accordance with a court decision shall be made immediately by the district electoral commission.

**Article 33. Ensuring Citizens' Right to Vote When There is a Change in Place of Residence**

Where there is a change in the place of his residence within the period following the publication of lists of voters and up to the day of elections, a voter has the right to provide the district electoral commission, in a sealed envelope, his decision concerning his choice of the candidates for deputy listed in the ballot. Upon presentation by the voter of a passport or other personal identification document, the district electoral commission shall make an appropriate notation concerning this in the list of voters. In the presence of the voter, the sealed envelope shall be authenticated with the seal of the soviet that has established the district electoral commission, which bears responsibility for its safe-keeping.

**VI. Nomination and Registration of Candidates for People's Deputy of Local Soviets**

**Article 34. Procedures for Nomination of Candidates for People's Deputy of Local Soviets**

The nomination of candidates for people's deputy of a corresponding local soviet is organized by rayon, city (beside the cities of Moscow and Leningrad) city-rayon, settlement, and village electoral commissions, and also by okrug electoral commissions for elections of people's deputies to kray, autonomous oblast, and autonomous okrug soviets of people's deputies.

The nomination of candidates for people's deputy is shall be accomplished at meetings (conferences) of the labor collectives of enterprises, institutions, organizations and of collectives of pupils and students of secondary special and higher day-study educational institutions situated within the territory of a corresponding soviet of people's deputies.

In labor collectives having more than 150 members the nomination of candidates may be accomplished at meetings of the collectives of shops, departments, sectors, brigades and other subdivisions of the enterprises, institutions and organizations if not less than 30 persons are working in these subdivisions. At the same time, joint meetings of several labor collectives may be held.

The nomination of candidates for people's deputy from public organizations shall be accomplished by kray, oblast, autonomous oblast, okrug (autonomous okrug), rayon, city, and city-rayon organs of these organizations.

Meetings of voters by place of residence for the nomination of candidates for people's deputy shall be convened by okrug electoral commissions or by rayon, city, city-rayon, village and rural electoral commissions jointly with soviets of people's deputies or their presidiums both on their own initiative and on the initiative of public

initiative organs, with the support of not fewer than 30 voters in the given election okrug.

A proposal concerning the conduct of a meeting of voters by place of residence must be examined by the electoral commission jointly with the presidium of the corresponding soviet of people's deputies within the course of three days. In the case of approval of this proposal, a date, time and place for holding the meeting are set and the voters of the okrug are advised of this within the course of three days. A proposal to hold a meeting of voters by place of residence shall be rejected if the organ of popular public initiative is not situated within the territory of the election okrug and also if the initiative of this organ is not supported by a protocol of its session concerning this question. In the case that a proposal to conduct a meeting of voters by place of residence is rejected, the organ of popular public initiative shall be provided with a copy of the decision and the reasons for it. This decision may be appealed within a three-day period to the corresponding next-highest election commission or to the presidium of the next-highest soviet, which have the obligation to examine the complaint within a period of two days. The decision of the election commission or of the presidium of the soviet is final. A meeting is legally empowered if not fewer than 150 voters living within the territory of the election okrug are present at it.

Meetings of military personnel for nomination of candidates for people's deputy are convened by the commands of military units. When it is not possible to hold a general meeting of the military personnel of a unit, meetings are conducted by subunits.

Before the opening of a meeting, its legal competence is established on the basis of the total number of registered participants in the meeting. A presidium or a chairman and secretary are elected for purposes of conducting it.

Conditions shall be created at meetings for the nomination of an unlimited number of candidates and for broad and free discussion of them. Each participant in a meeting has the right to introduce proposals regarding candidates for deputy, to participate in discussion of them, to support proposed candidates or to introduce proposals concerning rejection of them. A participant in a meeting may propose for purposes of discussion his own candidacy as a candidate for deputy.

A decision on the nomination of a candidate for people's deputy is reached at a meeting by open or secret ballot. The procedure of voting and other procedural questions are determined by the meeting or by the organ of a public organization.

A candidate for deputy is considered to be nominated if he receives the votes of more than half the participants in a meeting or of a majority of the total membership of an organ of a public organization.

A protocol is prepared concerning the nomination of candidates for deputy. The candidate for deputy is advised of the decision taken not later than within a two-day period.

Citizens working or living within the territory of a corresponding soviet may be nominated as candidates for people's deputy. A citizen of the RSFSR may not be simultaneously a People's deputy to more than two soviets of people's deputies.

Electoral commissions that organize the nomination of candidates for deputy shall advise the public of the candidates who have been nominated for people's deputy of the corresponding local soviets.

#### **Article 35. The Okrug Pre-Election Meeting**

For the discussion of candidates for people's deputy of local soviets nominated by election okrug, a okrug pre-election meeting may be held. The meeting is convened by the electoral commission organizing the nomination of candidates for deputy and is conducted with its participation following completion of the nomination of candidates for deputy, but not later than 30 days before the elections. If no more than five candidates for deputy have been nominated for a single-mandate okrug and if the number of candidates for deputy nominated for a multi-mandate okrug exceeds the number of deputy mandates, but not more than by half, or all the candidates for deputy for a multi-mandate election okrug have been nominated by one collective or at one meeting, then a okrug pre-election meeting is not held.

Participants in a okrug pre-election meeting are delegated by the labor collectives or their councils, the organs of public organizations, the collectives of pupils and students, and the meetings of voters by place of residence and of military personnel by military units that have nominated candidates for deputy, on the basis of norms established by the corresponding electoral commission. At the same time, the number of representatives of each candidate for deputy must be equal. Not less than half the participants in a meeting must consist of voters of the given election okrug. They are delegated by labor collectives or their councils, organs of public organizations, collectives of pupils and students, and meetings of voters by place of residence and of military personnel by military units that have not participated in the nomination of candidates for deputy, according to norms established by the corresponding electoral commission.

Labor collectives, organs of public organizations, collectives of pupils and students, and voters by place of residence and military personnel in military units, as well as the nominated candidates for deputy, shall be advised of the date, time, and place that a okrug pre-election is to be held not later than five days before it is to be conducted.

The decision concerning the nomination of representatives delegated to a okrug pre-election meeting and a list of these shall be transmitted to the okrug electoral

commission or the commission fulfilling its functions no later than two days before it is to be held. On the basis of these, the participants in a okrug pre-election meeting are registered before the beginning of the meeting. A meeting is legally constituted if not less than two-thirds of the total number of delegated representatives are present at it.

All candidates nominated for a given okrug have the right to participate in the work of the meeting.

The participants in a okrug pre-election meeting shall be furnished, on a timely basis, a list of all candidates for people's deputy nominated for the given okrug along with basic information concerning them.

#### **Article 36. Procedures for the Conduct of a Okrug Pre-Election Meeting**

Each candidate for people's deputy shall be given an opportunity at the okrug pre-election meeting to speak and present the program of his future activities. Any participant in the meeting shall have the right to discuss the candidates for deputy and to introduce his own proposals concerning them. All candidates for deputy are subject to discussion.

When holding a okrug pre-election meeting, no fewer than two candidates for people's deputy shall be presented for registration in elections for a single-mandate election okrug, and the number of candidates for deputy presented for registration in elections for a multi-mandate election okrug must exceed the number of deputy mandates.

Candidates for deputy who have received the vote of not less than one-third of the participants in the meeting who have taken part in the voting shall be presented for registration.

If only one candidate has received the necessary number of votes in elections for a single-mandate okrug, then, additionally, candidates who have received the largest number of votes in relationship to other candidates shall also be presented for registration. The number of these candidates is determined by the participants in the meeting.

The results of the discussion and voting on candidates for people's deputy, and also the decision reached are to be reflected in a protocol of the okrug pre-election meeting, which shall be submitted to the corresponding electoral commission.

The decision of the meeting may be appealed to the corresponding electoral commission within a period of three days.

#### **Article 37. Registration of Candidates for Peoples Deputy of Local Soviets**

The registration of candidates for people's deputy of kray, oblast, the Moscow and Leningrad city, autonomous oblast, and autonomous okrug soviets of people's

deputies shall be accomplished by the okrug electoral commissions for elections to the corresponding soviet.

The registration of candidates for people's deputy of rayon, city, city-rayon, settlement, and village soviets is accomplished by the corresponding rayon, city, city-rayon, settlement, and village electoral commissions.

The registration of candidates for people's deputy of local soviets is accomplished at the request of labor collectives, organs of public organizations, collectives of pupils and students, and meetings of voters by place of residence and of military personnel by military unit, which have nominated candidates for deputy, or by a okrug pre-election meeting, if one has been held.

The decision shall be made to register candidates for deputy when the following documents are available: protocols regarding the nomination of candidates for deputy for the given election okrug, a protocol of the okrug pre-election meeting if one has been held, and also a declaration by the candidates for people's deputy of their agreement to be listed on the ballot for the given election okrug.

The persons enumerated in Article 12 of the present law as well as persons who are deputies in two soviets of people's deputies shall, in their declarations upon being nominated as candidates for deputy, indicate their intention to vacate the positions they occupy in the event they are elected deputy or to terminate their deputy functions in one of the soviets of people's deputies ahead of schedule, or they shall announce the withdrawal of their candidacies.

The corresponding electoral commission shall draw up a protocol concerning the registration of candidates for deputy, which, together with the protocol on the registration of candidates and the declarations of the candidates for deputy regarding their agreement to be included on the ballot for the given election okrug, shall be submitted to the corresponding next-higher electoral commission.

All candidates for deputy nominated in accordance with the requirements of the present law must be registered following these mandatory procedures. A refusal to register a candidate for deputy may be appealed within a three-day period to the next-higher electoral commission, soviet of people's deputies, or its presidium, respectively.

A candidate for people's deputy may be listed simultaneously on a ballot in only one election okrug of one and the same soviet.

A candidate for deputy who has been registered in one election okrug of a local soviet may not be presented for registration in another election okrug of the same local soviet, also including in the case that his candidacy is withdrawn in the election okrug where he was originally registered.

A candidate for people's deputy may not be a member of a corresponding kray, oblast, autonomous oblast, okrug (autonomous okrug), rayon, city-rayon, settlement or village electoral commission, or also of a okrug or district electoral commission of that election okrug for which he has been nominated as a candidate for deputy. A person who is nominated as a candidate for people's deputy and who belongs to one of the indicated commissions is considered to have been relieved of his obligations within the commission from the moment of his registration as a candidate for deputy.

No later than four days following the registration of candidates for deputy, the electoral commission shall publish in the press a communique regarding the registration, indicating the first, middle and last names, year of birth, position held (occupation), party membership status, and place of work and residence of each candidate for deputy.

Each registered candidate for people's deputy of a local soviet is issued credentials.

**Article 38. Revocation of a Decision Concerning the Nomination of a Candidate for People's Deputy of a Local Soviet. Withdrawal by a Candidate for People's Deputy of His Own Candidacy**

A labor collective, an organ of a public organization, a collective of pupils and students, a meeting of voters by place of residence or of the military personnel of a military unit, which has nominated as a candidate for people's deputy of a local soviet, has the right at any time before the elections to rescind its decision concerning the nomination of a candidate for deputy. A decision regarding this matter shall be approved according to procedures stipulated for the nomination of candidates for deputy and shall be submitted to the appropriate electoral commission.

A candidate for deputy may at any time before the elections withdraw his own candidacy, having submitted a declaration concerning this to the electoral commission that registered his candidacy for deputy.

The electoral commission that has registered a candidate for deputy shall advise the people of the election okrug concerning revocation of a decision to nominate a candidate for deputy or of a candidate's withdrawal of his own candidacy.

**Article 39. Procedures for Nominating Candidates for People's Deputy of a Local Soviet to Replace Candidates Who Are Withdrawn**

In the event of the withdrawal of candidates for people's deputy of a local soviet after the end of the period for registration of candidates for deputy, if no other candidates remain within a single-mandate election okrug and if fewer candidates remain than there are deputy mandates within a multi-mandate election okrug, the corresponding electoral commission shall make the proposal to labor collectives, public organizations, collectives of

pupils and students, and meetings of voters by place of residence and of military personnel by military unit that they nominate new candidates for deputy.

When candidates for people's deputy are withdrawn less than 20 days before elections, elections of a people's deputy for the corresponding election okrug are held within a two-month period after the general elections.

The nomination of candidates for deputy in place of ones that have been withdrawn shall be accomplished in accordance with procedures established by the present law.

#### **Article 40. The Ballot**

The ballot shall include in alphabetical order all registered candidates for people's deputy of local soviets, with an indication of their first, middle and last names, position held (occupation), and place of work and residence of each candidate for deputy.

The text of the ballot for an election okrug shall be verified by the corresponding electoral commission. Ballots shall be printed in the languages which are used by the population of the election okrug.

### **VII. Guarantees of the Activities of Candidates for People's Deputy of Local Soviets**

#### **Article 41. The Right of Candidates for People's Deputy of Local Soviets to Participate in the Pre-Election Campaign**

Candidates for people's deputy of local soviets, from the moment of their nomination, shall participate on an equal basis in the pre-election campaign.

Candidates for deputy have the right to speak out at pre-election and other meetings, conferences and sessions, in the press, on television, and the radio.

State and public organs, directors of enterprises, institutions and organizations, and popular public initiative organs have an obligation to assist candidates for people's deputy in organizing meetings with voters, in conducting pre-election meetings, and in obtaining necessary reference and informational materials.

#### **Article 42. The Pre-Election Program of a Candidate for People's Deputy of a Local Soviet**

A candidate for people's deputy of a local soviet may set forth a program of his future activities. The program of a candidate for deputy must not contradict the USSR Constitution, the RSFSR Constitution, and other laws of the USSR and RSFSR.

#### **Article 43. Trusted Agents [doverennoye litso] of a Candidate for People's Deputy of a Local Soviet**

A candidate for people's deputy of a local soviet may have up to three trusted agents, who help him in the conduct of his election campaign, campaign for his

election as deputy, and represent his interests in contacts with state and public organs, with voters, and also in electoral commissions.

A candidate for people's deputy designates his trusted agents of his own choice and shall advise the corresponding electoral commission concerning them. Following their registration, the commission shall issue them certification. A candidate for people's deputy has the right to replace his trusted agents at any time before the elections.

A trusted agent may not be a member of one of the electoral commissions in the okrug.

The trusted agents of a candidate for deputy of kray, oblast, city (cities of republic subordination), autonomous oblast, autonomous okrug, and rayon soviets of people's deputies, following their registration and for the period when pre-election meetings are being conducted, may, at the request of the candidate for people's deputy, be relieved of fulfilling their production or official obligations while retaining their average salary at their place of work at the expense of funds allocated for the conduct of elections.

#### **Article 44. Pre-Election Campaigns**

Labor collectives, public organizations, collectives of pupils and students, voters by place of residence, and military personnel by military unit that have nominated candidates for people's deputy shall be afforded the right of unhindered campaigning for their candidates.

Electoral commissions shall make available to labor collectives, public organizations, collectives of pupils and students, voters by place of residence, and military personnel by military unit, equipped accommodations for voter assemblies and meetings, as well as [access to] the mass information media for purposes of conducting pre-election campaigns.

The citizens of the RSFSR, labor collectives, and public organizations are guaranteed the possibility of free and thorough discussion of the political, professional, and personal qualities of candidates for people's deputy, and also the right to campaign for or against candidates at assemblies, in the press, and on television and the radio.

Candidates for deputy conduct meetings with their voters both at assemblies and in other forms convenient for the voters.

Voter assemblies are organized by corresponding electoral commissions and soviets of people's deputies or their presidiums, and by organs of public organizations.

The time and place of assemblies and meetings shall be communicated to the voters not later than two days in advance.

Campaigning is not permitted on the day of elections.

**Article 45. Relief of a Candidate for People's Deputy of a Local Soviet From His Production or Professional Obligations for Participation in Pre-Election Activities**

A candidate for people's deputy of a local soviet, following his registration and during the period of meetings with voters and addresses at pre-election assemblies and meetings and on television and radio, shall be relieved of fulfilling his production or professional obligations while retaining his average salary at the expense of funds allocated for the conduct of elections.

**Article 46. The Right of a Candidate for People's Deputy of a Local Soviet to Free Travel**

Following his registration, a candidate for people's deputy of a local soviet shall have the right of free travel on all forms of passenger transportation (excluding taxis) within the territorial limits of the corresponding soviet. A candidate for people's deputy who resides outside the territorial limits of the local soviet shall enjoy the same right for travel within the election okrug and for travel to and from his place of residence.

**Article 47. Immunity of a Candidate for People's Deputy of a Local Soviet**

A candidate for people's deputy of a local soviet may not be criminally charged, arrested, or subjected to administrative disciplinary measures, imposed by court procedure, without the agreement of the corresponding kray, oblast, autonomous oblast, okrug (autonomous okrug), rayon, city, city-rayon, settlement, and village electoral commission.

**VIII. Procedures for Voting and Tallying the Results of Elections**

**Article 48. Time and Place of Voting**

In elections of people's deputies of local soviets, voting takes place of the day of elections from 0700 to 2000 hours local time. The district electoral commission shall advise the voters of the time and place of voting no later than 10 days before the elections.

In case of necessity taking into account local circumstances, kray, oblast, autonomous oblast, okrug (autonomous okrug), rayon, city-rayon, settlement, and village commissions may change the time of voting with the consent of higher-level soviets of people's deputies or their presidiums.

In election districts established aboard vessels located at sea on election day, in military units, at polar stations, and in distant and inaccessible regions, the district electoral commission may declare voting concluded at any time if all the voters included in the voter list have cast their ballots.

In exceptional cases, with the authorization of the RSFSR Supreme Soviet or its Presidium and the agreement of the candidates for deputy, voting in distant and

inaccessible regions may take place ahead of schedule, but not more than seven days before the general elections.

**Article 49. Organization of Voting**

Voting is conducted in specially designated spaces which must contain a sufficient number of booths or secret balloting rooms and where places must be designated for the handing in of ballots and ballot boxes shall be placed. Ballot boxes shall be positioned so that voters must necessarily approach them after having passed through the booths or secret balloting rooms.

Responsibility organizing voting, for ensuring secrecy of the voters' expression of their will, for equipping the voting spaces, and for ensuring necessary order within them shall be borne by the district electoral commission.

On the day of elections, before balloting begins, the ballot boxes shall be checked and sealed or certified by the chairman of the district electoral commission in the presence of all members of the commission.

Each voter votes personally; voting by other persons is not permitted. Ballots shall be issued by the district electoral commission on the basis of the election district voter list upon presentation by the voter of a passport or other identification. A notation shall be made in the voter list that a ballot has been issued.

In cases when individual voters, because of the state of their health or for other reasons cannot be present at a polling station, the district electoral commission shall designate individual members of the commission to arrange for balloting at the place such voters are located.

**Article 50. The Conduct of Voting**

Ballots shall be filled out by the voter in the booth or secret balloting room. Nobody, whomsoever, in addition to the voter, is permitted to be present when a ballot is cast.

A voter who is unable fill out the ballot himself has the right to invite another person of his own choice into the booth or secret balloting room.

In elections of people's deputies of local soviets the voter crosses out the names on the ballot of the individuals against whom he is voting.

The voter shall place his completed ballot in the ballot box.

**Article 51. Counting Votes at the Voting District**

In elections of people's deputies of local soviets, votes are tallied at the election district by the district electoral commission separately for each election okrug and for each candidate for people's deputy.

Ballot boxes and sealed envelopes, submitted by voters of the district electoral commission when there has been a change in their place of location, shall be opened by the

district electoral commission after the chairman of the commission has declared balloting to be concluded. The opening of ballot boxes and the sealed envelopes of voters is prohibited before the end of voting. Before the opening of the ballot boxes, all unused ballots are counted and cancelled by the district electoral commission.

On the basis of the voter list, the district electoral commission establishes the total number of voters in the district, and also the number of voters who have received ballots and the number of voters who have submitted sealed envelopes. On the basis of the ballots located in the ballot boxes and of the decisions of voters contained in envelopes, the commission establishes for each election okrug (within the limits of a given election district) the total number of voters who have taken part in the balloting, the number of votes cast for and the number of votes cast against each candidate for deputy, and the number of ballots and voter decisions contained in envelopes which are judged to be invalid. Votes are not counted for names which voters have written in on the ballots and their in decisions contained in the envelopes.

The results of the tally of votes shall be examined at a session of the district electoral commission and are included in a protocol which is drawn up separately for each election okrug. The protocol is to be signed by the chairman, deputy chairman, secretary, and members of the commission and shall be immediately sent on to the corresponding electoral commission following procedures established by the kray, oblast, autonomous oblast, okrug (autonomous okrug) rayon, city-rayon settlement and village electoral commission.

#### **Article 52. Invalidation of Ballots**

Election ballots that differ the established format shall be considered invalid. If, in an election ballot or a decision of a voter contained in an envelope, more than one candidate's name is left in an election for a single-mandate okrug or if the remaining number of candidates for deputy exceeds the number of deputy mandates for a given okrug, then votes in favor shall counted for each of the candidates left in the ballot.

In case of doubt as to the validity of an election ballot and of a decision of a voter contained in an envelope, the question shall be decided by a vote of the district electoral commission.

#### **Article 53. Determination of the Results of Elections by Election Okrug**

In accordance with the present law, the results of elections shall be determined

1) by election okrug for elections of people's deputies of kray, oblast, the Moscow and Leningrad city, autonomous oblast and autonomous okrug soviets of peoples deputies—by the corresponding okrug electoral commissions on the basis of protocols submitted by district electoral commissions;

2) by election okrug for elections of people's deputies of rayon, city, city-rayon, settlement, and village soviets of peoples deputies—by rayon, city, city-rayon, settlement and village commissions on the basis of protocols from district electoral commissions.

On the basis of protocols from district electoral commissions and of a tally of the ballots cast within an election district, the electoral commissions determine the total number of voters by okrug, the number of voters who have received election ballots and the number who have submitted sealed envelopes, the number of voters who have taken part in the balloting, the number of votes cast for and the number of votes cast against each candidate for deputy, and the number of ballots and of voter decisions contained in sealed envelopes which are judged to be invalid.

A candidate for deputy who in an election has received more than half the votes of the voters who have taken part in the election shall be considered to have been elected. At the same time, for a multi-mandate election okrug, depending upon the number of deputy mandates, those candidates who have accumulated the greater number of votes in comparison to the others shall become people's deputies. Remaining candidates who have accumulated more than half the votes are considered to have been elected reserve people's deputies.

If, as a result of voting in a single-mandate okrug, two or more candidates receive more than half the votes, then the candidate who has received an absolute majority of the votes cast shall be considered elected.

The results of elections by election okrug are established at a session of the okrug electoral commission or the commission fulfilling its functions and are included in a protocol. The protocol is signed by the chairman, the deputy chairman, the secretary and the members of the commission and is forwarded to the corresponding kray, oblast, autonomous oblast, or okrug (autonomous okrug) electoral commission following procedures established by it.

#### **Article 54. Declaration of Elections by Election Okrug as Invalid or Inconclusive**

The okrug electoral commission or the commission fulfilling its functions may declare elections by election okrug to be invalid because of violations of the present law that have been permitted to occur in the course of the elections or in the counting of votes.

Elections are declared inconclusive if less than half the voters included in the voter list have participated in them and, for a single-mandate okrug, also in connection with the withdrawal of a candidate for deputy if a only one candidate has been registered for the okrug.

#### **Article 55. Registration of People's Deputies Running for the Local Soviet**

On the basis of the electoral results, the corresponding electoral commission in charge of the election of people's

deputies totals the electoral results and registers the people's deputies running for the local soviet for each separate electoral district.

The electoral commission may refuse to register a people's deputy and declare the elections invalid if violations of this law have taken place in the course of the elections, in counting the ballots, or in determining the results of the elections for a given district.

#### **Article 56. Publication of Election Results**

A communique regarding the results of elections and a list of the elected people's deputies shall be published in the press by the corresponding electoral commission not later than on the fifth day after the elections.

This communique shall indicate the total number of citizens included in the list of voters, the number of voters who have taken part in the voting, the number of votes cast for and against each candidate, the number of invalid election ballots and voter decisions contained in envelopes, and the number of okrugs in which runoff or repeat elections have been held.

The list of elected people's deputies and reserve people's deputies of a local soviet shall be published in alphabetical order with an indication of first, middle and last name, year of birth, position occupied (occupation) party membership status, place of work and residence of the deputy, and of the election okrug for which he has been chosen a deputy.

### **IX. Runoffs, Repeat Elections, Elections of Peoples Deputies of Local Soviets to Replace Deputies Who Have Been Withdrawn, Elections in Newly Established Administrative and Territorial Units**

#### **Article 57. Runoffs**

If, for a single-mandate election okrug more than two candidates for people's deputy of local soviets have been included in the ballot and none of them has been elected, the corresponding electoral commission shall approve a decision to conduct a runoff within the okrug between the two candidates for deputy who have received the largest number of votes.

A runoff in elections of people's deputies for a multi-mandate okrug is conducted by the corresponding electoral commission in the event that equality in the number of votes cast for individual candidates for people's deputy does not make it possible to determine who have been elected people's deputies.

A runoff is conducted no later than within a period of two weeks, while observing the requirements of the present law. An announcement that a runoff is to be held shall be published in the press.

In a runoff, the candidates for deputy who have received the greatest number of votes from the participating voters in relation to other candidates are considered to be elected. At the same time, for a multi-mandate

election okrug, depending upon the number of deputy mandates, only those of them who have accumulated a larger number of votes than the others are elected as people's deputies. The remaining candidates are considered to have been elected reserve deputies.

#### **Article 58. Repeat Elections**

If, for a single-mandate election okrug, not more than two candidates for people's deputy of local soviets have been listed in the ballot and if neither of them has been elected or if the elections for the election okrug have been declared invalid or indecisive, or if a runoff has not made it possible to determine the elected people's deputy, and, for a multi-mandate election okrug, also in the case when the number of elected deputies has turned out to be smaller than the number of deputy mandates, the corresponding electoral commission shall reach a decision to conduct repeat elections within the election okrug. At the same time, it may necessary for the elections to be conducted by okrug and district electoral commissions that have different membership. The voting shall take place within the same election districts and on the basis of the lists of voters compiled for the conduct of general elections.

In the case that repeat elections are held, a citizen of the RSFSR who did not accumulate the necessary number of votes in the course of the general elections cannot be again listed on the ballot as a candidate for people's deputy to this same soviet of people's deputies.

Repeat elections are conducted not later than within a two-month period after the general elections. The establishment of electoral commissions, the nomination and registration of candidates for people's deputy, and other measures are carried out according to procedures established by the present law. An announcement of the holding of repeat elections shall be published in the press.

#### **Article 59. The Conduct of Elections of People's Deputies of Local Soviets to Replace Ones That Have Been Withdrawn**

In the event that a local soviet of peoples deputies declares the authority of individual people's deputies no longer valid, and also in the case of recall of a people's deputy or the premature termination of a deputy's term for other reasons, new elections shall be conducted within the corresponding election okrugs within a period of three months from the moment of the deputy's withdrawal. The indicated procedures for conducting elections of people's deputies to replace ones withdrawn shall apply within multi-mandate election okrugs when there is a lack of reserve deputies. Elections shall be scheduled by the corresponding electoral commission no later than two months before they are to be held and shall be organized in keeping with the requirements of the present law.

For multi-mandate election okrugs, in the event that a local soviet declares the authority of individual people's

deputies to be invalid, in the event of the recall of a people's deputy, or in the event of premature termination of a deputy's term for other reasons and when reserve deputies are available, new elections are not held. In these cases, at a regular session of the local soviet, at the request of its mandate commission, a decision will be reached to transfer the deputy mandate to the reserve deputy who received the greater number of votes in comparison to other reserve deputies elected for the given okrug.

In the case of premature termination of the authority and the withdrawal of a deputy less than six months before expiration of the local soviet's term of office, elections of a people's deputy are not held to replace the deputy who has been withdrawn.

#### **Article 60. The Conduct of Elections of People's Deputies of Local Soviets in Newly Formed Administrative and Territorial Units**

Elections of people's deputies of local soviets in newly formed administrative and territorial units are held in cases when the establishment of a local soviet is not possible due to a lack or inadequacy of deputies elected to a soviet within the territory which is to comprise a newly formed kray, oblast, autonomous oblast, autonomous okrug, rayon, city, city-rayon, settlement, or village.

Elections of people's deputies of a kray, oblast, and autonomous oblast soviet of people's deputies are scheduled by the RSFSR Supreme Soviet and those of people's deputies of an autonomous okrug, rayon, city, city-rayon, settlement, and village soviet are set by a higher-level soviet of people's deputies not later than within a period of two months from the day of formation of the administrative and territorial unit and shall be conducted in accordance with procedures established by the present law.

Voting may be concluded earlier than 2000 hours local time if all voters in the voter list have cast their votes.

#### **X. Certification of the Election of a People's Deputy. Formats of Election Documents and Procedures for their Safekeeping. Standards for the Ballot Box.**

##### **Article 61. Certification and Badge of a People's Deputy of a Local Soviet**

Following publication in the press of lists of registered people's deputies (reserve deputies), the okrug electoral commission or the commission fulfilling its functions shall issue each elected deputy (reserve deputy) certification of his election.

After verification by the local soviet of people's deputies of the legal competence of elected people's deputies (reserve deputies), certification of his election as a people's deputy (reserve deputy) is replaced by certification as a people's deputy (reserve people's deputy). A people's deputy shall also be issued an appropriate badge.

In the case of a recall of a people's deputy or premature termination of his deputy's authority in connection with the execution of a court sentence imposed upon a person who is a people's deputy, his certification and badge of as a people's deputy are subject to return to the corresponding local soviet of people's deputies.

##### **Article 62. Format of Election Documents and Standards for the Ballot Box**

The formats of the voter list, protocols of electoral commissions, the format and color of election ballots, the formats of certifications as a candidate for people's deputy, as a trusted agent, of election as a people's deputy (reserve people's deputy), and as a people's deputy (reserve people's deputy). the pattern of the badge of a people's deputy, as well as standards for the ballot box shall be established by the RSFSR Supreme Soviet Presidium.

##### **Article 63. Procedures and Periods for Safekeeping of Election Documents**

The files of okrug and district electoral commissions shall be transferred to the corresponding kray, oblast, autonomous oblast, okrug (autonomous okrug) rayon, city, city-rayon, settlement, and village electoral commissions upon completion of their work.

The procedures and periods for safekeeping of election documents shall be established by the RSFSR Supreme Soviet Presidium.

##### **Note.**

In the course of preparing the present draft law, people in a number of regions have expressed their ideas concerning the conduct of elections to local soviets and with regard to production election okrugs. The proposal has been made to establish production okrugs for elections to city and city-rayon soviets at large enterprises and production associations that have numbers of voters equal to production and territorial election okrugs. In this case, collectives which have formed production election okrugs would not nominate candidates for deputy for the territorial okrug of the same soviet.

In the course of popular discussion, the citizens of the RSFSR are being given an opportunity to express their views concerning this proposal as well.

##### **RSFSR Local Election Law Comparison**

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[Editorial Report] Moscow SOVETSKAYA ROSSIYA in Russian on 3 November 1989 carries in its Second Edition on pages 1, 2, and 3 under the heading "Law of RSFSR on Elections of People's Deputies to Local Soviets of People's Deputies of RSFSR." Comparison of this version with draft law carried in SOVETSKAYA ROSSIYA on 13 August 1989 reveals the following variations:

Page 1, Section I, Article 2, paragraph three substitutes "...people in places of detention by court order or by authority of public prosecutor, as well as..." for "...people in places of detention, as well as...";

Article 7, paragraph one adds words "...collectives of secondary specialized and higher academic institutions..." between "...labor collectives..." and "... neighborhood voters...";

Article 8, paragraph three, first sentence substitutes "...general election results, as well as all other meetings and sessions connected with elections, may be attended..." for "...general election results, may be attended..."; and "...social organizations, collectives of secondary specialized and higher academic institutions, assemblies..." for "...social organizations, assemblies...";

Article 8, paragraph three, first sentence reads: "...agents and representatives of the press..." (changing "as well as" to "and");

Article 8, paragraph three, second sentence adds "...collective of secondary specialized or higher academic institution..." between "...labor collective..." and "...assembly...";

Article 8, paragraph four reads: "The news media will cover the preparations and proceedings of elections of people's deputies to local soviets" (adding entire new paragraph);

Article 9, paragraph one substitutes "...collectives of secondary specialized and higher academic institutions..." for "...collectives of pupils and students of daytime secondary specialized and higher academic institutions..."; omits reference to district campaign assemblies;

Article 10, paragraph one substitutes "...collectives of secondary specialized and higher academic institutions..." for "...collectives of pupils and students of daytime secondary specialized and higher academic institutions...";

Article 13, paragraph one substitutes "...will be paid only with state funds allocated for elections..." for "...will be paid by the state..."; omits second sentence, prohibiting use of non-state funds for election purposes;

Article 13, paragraph two reads: "Enterprises, establishments, organizations, and state and public organs will allow election commissions the use of premises, the necessary equipment, and vehicles for free during the period of election preparations and proceedings" (providing alternate translation);

Article 13, paragraph three reads: "The financial or material support of candidates for deputy by enterprises, establishments, organizations, state and public organs, and private citizens will not be allowed" (adding new paragraph);

Page 2, Article 14, paragraph two reads: "...he will be issued a warning by the election commission registering the candidate..." (changing word order); and reads "...repeat violation, the kray, oblast, autonomous oblast, okrug (or autonomous okrug), rayon, city, municipal rayon, village, or rural election commission can repeal its decision to register this candidate..." (adding types of commissions); and adds "...and the population of the electoral district will then be informed of this";

Section II, Article 15, paragraph one substitutes "...no later than 4 months..." for "...no later than 3 months...";

Article 16, paragraph two substitutes "...up to 300 deputies..." for "...up to 250 deputies...";

Article 16, paragraph three substitutes "...up to 500 deputies..." for "...up to 450 deputies...";

Article 16, paragraph four reads: "...up to 400 deputies to the Moscow Oblast Soviet of People's Deputies" (adding new paragraph);

Article 16, paragraph six substitutes "...up to 150 deputies..." for "... up to 100 deputies...";

Article 16, paragraph seven substitutes "...up to 150 deputies..." for "...up to 75 deputies...";

Article 16, paragraph 12 substitutes "...up to 200 deputies..." for "...up to 150 deputies...";

Article 16, paragraph 13 substitutes "...up to 50 deputies..." for "...up to 30 deputies...";

Article 16, paragraph 15 reads: "...in kray, oblast, and autonomous oblast..." (adding comma between "oblast" and "and");

Article 16, paragraph 16 substitutes "...by a superior soviet or its presidium..." for "...by a superior soviet of people's deputies or its presidium...";

Article 16, paragraph 19 substitutes "...appropriate soviets..." for "...appropriate soviets of people's deputies...";

Article 16, paragraph 20 substitutes "...not more than 25 deputies..." for "...not more than 20 deputies...";

Article 16, paragraph 22 substitutes "...no later than three and a half..." for "...no later than two and a half...";

Section III, Article 17, paragraph one substitutes "...territory of autonomous okrugs without rayon divisions, rayons, cities..." for "...territory of rayons, cities...";

Article 18, paragraph one substitutes "...formed by okrug (autonomous okrugs without rayon divisions), rayon, city..." for "...formed by rayon, city...";

Section IV, Article 19, paragraph two substitutes "...election commissions for elections of people's deputies to local soviets..." for "...election commissions..."; and "...autonomous okrug soviets..." for "...autonomous okrug soviets of people's deputies...";

Articles 20, 21, 22, and 23, titles substitute "...election commissions..." for "...election commissions for elections of people's deputies to local soviets...";

Article 20, paragraph one substitutes "...election commissions for elections of people's deputies to local soviets of people's deputies..." for "...election commissions..."; and "...soviets or their presidiums..." for "...soviets of people's deputies or their presidiums..."; and "...at least three and a half months before..." for "...at least 80 days before...";

Article 20, paragraph two substitutes "...labor collectives of enterprises, establishments, and organizations or their..." for "...labor collectives or their..."; and "...primary organizations, collectives of secondary specialized and higher academic institutions, neighborhood..." for "...primary organizations, neighborhood...";

Article 21, paragraph one substitutes "...election commission for elections of people's deputies to kray, oblast, Moscow and Leningrad city, autonomous oblast, or autonomous okrug soviet of people's deputies:..." for "...election commission:...";

Article 21, paragraph seven (point 6) reads: "...local soviet..." (changing plural to singular);

Article 22, paragraph one substitutes "...and rural election commission for election of people's deputies to rayon, city, municipal rayon, village, and rural soviet of people's deputies..." for "...and rural election commission...";

Article 22, paragraph two (point 1) substitutes "...local soviet..." for "...local soviet of people's deputies...";

Article 22, paragraph six (point 5) reads: "...local soviet..." (changing plural to singular);

Article 22, paragraph 23 (point 22) omits words "...district campaign assemblies...";

Article 23, paragraph one substitutes "...at least 3 months before..." for "...at least 70 days before...";

Article 23, paragraphs two and three substitute "...labor collectives of enterprises, establishments, and organizations or their..." for "...labor collectives or their...";

Article 23, paragraph two substitutes "...organs, collectives of secondary specialized and higher academic institutions, neighborhood..." for "...organs, neighborhood...";

Article 23, paragraph three, second sentence reads: "Joint meetings of several collectives can be held" (adding new sentence);

Article 23, paragraph four substitutes "...recognition by local soviet..." for "...recognition by appropriate local soviet of people's deputies..."; and "...elected people's deputies of appropriate soviet..." for "...elected people's deputies of local soviets...";

Article 24, title substitutes "...election commissions..." for "election commissions for elections of people's deputies to kray, oblast, Moscow and Leningrad city, autonomous oblast, and autonomous okrug soviets of people's deputies...";

Article 24, paragraph one reads: "...soviet of people's deputies..." (changing plural to singular);

Article 24, paragraph five (point 4) substitutes "...deputy for appropriate electoral district..." for "...deputy of corresponding local soviet...";

Article 24, paragraphs 6-11 (points 5-10) correspond to paragraphs 7-12 (points 6-11) in August version, omitting original point 5 about district campaign assembly; paragraph 11 (point 10) omits reference in August paragraph 12 (point 11) to replacement elections; omits paragraph 13 (point 12) of August version about recall of deputies;

Article 24, paragraphs 12 and 13 (points 11 and 12) correspond to paragraphs 14 and 15 (points 13 and 14) in August version; paragraph 12 (point 11) omits reference to district campaign assemblies;

Article 25, paragraphs two and three substitute "...labor collectives of enterprises, establishments, and organizations..." for "...labor collectives..."; paragraph two adds "...collectives of secondary specialized and higher academic institutions..." between "...organs..." and "...neighborhood...";

Article 25, paragraph three, second sentence reads: "Joint meetings of several collectives can be held" (adding new sentence);

Article 25, paragraph four substitutes "...are formed by okrug (autonomous okrugs without rayon divisions), rayon, city..." for "...are formed by rayon, city...";

Article 26, paragraphs 4-9 (points 3-8) correspond to paragraphs 5-10 (points 4-9) in August version, omitting paragraph 4 (point 3) referring to votes in sealed envelopes;

Article 27, paragraph one adds "...collectives of secondary specialized and higher academic institutions..." after words "...social organizations..." twice;

Article 27, paragraph three substitutes "...soviet..." for "...soviet of people's deputies..."; adds "...collective of secondary specialized or higher academic institution..." between "...social organization..." and "...neighborhood..."; substitutes "...in Article 35 of this law..." for "...in Article 37 of this law...";

Section V, Article 32, title and paragraph one read: "...voters list..." (changing plural to singular);

Article 33, title reads: "Supplementary Voters List"; paragraph one reads: "Voters who move to a new place of residence after the voters list has been published or who have not been included on the main voters list for

various reasons will be included on a supplementary list of voters on election day in the election center of the place of their permanent or temporary residence at their request and upon their submission of an identification card or other proof of identity"; paragraph two reads: "The supplementary voters list will be compiled by the center election commission and signed by its chairman and secretary" (omitting title and one paragraph of August Article 33, referring to votes in sealed envelopes);

Section VI, Article 34, paragraph one substitutes "...begins 3 months before elections and ends 2 months before..." for "...begins 70 days before elections and ends 40 days before...";

Article 34, paragraph two substitutes "...elections of people's deputies of kray, oblast..." for "...elections of people's deputies to kray, oblast..."; paragraphs two and three substitute "...soviet..." for "...soviet of people's deputies...";

Article 34, paragraph three substitutes "...collectives of secondary specialized and higher academic institutions..." for "...collectives of pupils and students of daytime secondary specialized and higher academic institutions...";

Article 34, paragraph four, first sentence substitutes "...labor collectives of enterprises, establishments, and organizations..." for "...labor collectives..."; second sentence substitutes "...collectives..." for "...labor collectives...";

Article 34, paragraph five substitutes "...is carried out at plenums of elected organs of kray..." for "is conducted by organs of kray...";

Article 34, paragraph six substitutes "...commissions with the consent of the appropriate soviets or their presidiums..." for "...commissions jointly with soviets of people's deputies or their presidiums...";

Page 3, Article 34, paragraph seven, first sentence substitutes "...commission within 3 days..." for "commission jointly with the presidium of the appropriate soviet of people's deputies within 3 days...";

Article 34, paragraph seven, fifth sentence substitutes "...or the soviet or its presidium, which formed the commission, which are obligated..." for "...or the presidium of the superior soviet, which are obligated...";

Article 34, paragraph seven, sixth sentence substitutes "...decision of the election commission, soviet, or its presidium is final..." for "...decision of the election commission and presidium of the soviet is final...";

Article 34, paragraph seven, seventh sentence reads: "...electoral district; the number of voters present at the meeting will not be limited during the nomination of candidates for deputy to rural soviets" (adding phrase following semicolon);

Article 34, paragraph 10, first sentence substitutes "...at meetings (or conferences) and plenums of elected organs of social organizations, conditions will be..." for "...at meetings, conditions will be...";

Article 34, paragraph 10, second sentence substitutes "...meeting (or conference) and plenum will have the right..." for "...meeting will have the right..."; second sentence reads: "...challenge the nomination, and nominate himself as a candidate for deputy" (combining second and third sentences in earlier version);

Article 34, paragraph 11 substitutes "...meeting (or conference) or plenum of the elected organ of the social..." for "...meeting or organ of the social...";

Article 34, paragraph 12 substitutes "...meeting (or conference) or plenum of the elected organ of the social..." for "...meeting or a majority of the total membership of the organ of the social...";

Articles 35-61 correspond to articles 37-63 in August version, omitting earlier title and six paragraphs of Article 35 and title and seven paragraphs of Article 35, referring to district campaign assemblies;

Article 35, paragraph one substitutes "...commissions for elections of deputies of appropriate soviets..." for "...commissions for elections to appropriate soviet...";

Article 35, paragraph three substitutes "...collectives of secondary specialized and higher academic institutions..." for "...collectives of pupils and students..."; omits end of sentence, referring to district campaign assembly;

Article 35, paragraph four substitutes "...begins 2 months before elections and ends 40 days before..." for "...begins 40 days before elections and ends 30 days before..."; omits reference to district campaign assembly;

Article 35, paragraph five substitutes "...for the electoral district and statements of consent..." for "...for the given electoral district, the protocol of the district campaign assembly if one was held, and also the statements of consent...";

Article 35, paragraph seven, second sentence reads: "The district election commission will submit the registration protocol and the statements of consent of candidates for deputy to run for office in the given electoral district to a superior election commission" (change in word order and punctuation, but same meaning as second half of first sentence of paragraph seven of Article 37 in earlier version);

Article 35, paragraph eight, second sentence substitutes "...soviet..." for "...soviet of people's deputies...";

Article 35, paragraph 10 substitutes "...other electoral district of this soviet..." for "...other electoral district of this local soviet...";

Article 36, paragraph one substitutes "...collective of secondary specialized or higher academic institution..." for "...collective of pupils or students..."; and "...local soviet of people's deputies..." for "...local soviet...";

Article 37, paragraph one substitutes "...collectives of secondary specialized and higher academic institutions..." for "...collectives of pupils and students...";

Article 37, paragraph two substitutes "...less than a month before..." for "...less than 20 days before...";

Section VII, Article 40, paragraph one, first sentence substitutes "...local soviet of people's deputies..." for "...local soviet..."; second sentence substitutes "...for deputy must not contain statements aimed at the violent change of the constitutional bases of the state and social order of the USSR and RSFSR, war propaganda, or appeals to incite racial, inter-ethnic, and religious friction or to violate personal rights and freedoms..." for "...for deputy must not contradict the Constitution of the USSR, the Constitution of the RSFSR, or other laws of the USSR and RSFSR...";

Article 41, paragraph two, first and second sentences read: "...election commission. The election commission, after the registration..." (substituting two sentences for one); third sentence substitutes "...candidate for deputy is responsible for the actions of his agents and has the right to replace them at any time..." for "...candidate for people's deputy has the right to replace agents at any time...";

Article 42, paragraphs one and two substitute "...collectives of secondary specialized and higher academic institutions..." for "...collectives of pupils and students...";

Article 42, paragraph three adds "...collectives of secondary specialized and higher academic institutions..." after "...social organizations...";

Article 42, paragraph five substitutes "...election commissions jointly with soviets or their presidiums" for "...election commissions and soviets of people's deputies or their presidiums and organs of social organizations";

Articles 43, 44, and 45, first paragraphs of each substitute "...local soviet of people's deputies..." for "...local soviet...";

Section VIII, Article 46, paragraph two substitutes "...superior soviets or their..." for "...superior soviets of people's deputies or their...";

Article 48, paragraph one, second sentence reads: "...anyone at all other than the voter..." (omitting comma before "other");

Article 48, paragraph three, and Article 49, paragraph one substitute "...local soviets of people's deputies..." for "...local soviets...";

Article 49, first and second sentences of paragraph two, and first and second (twice) sentences of paragraph three omit references to sealed envelopes;

Article 50, paragraph one reads: "Unofficial ballots and ballots listing more than one candidate's name in a single-mandate electoral district will be declared invalid" (omitting references to sealed envelopes and to multiple-mandate districts);

Article 50, paragraph two, and Article 51, paragraph four (twice) omit references to sealed envelopes;

Article 51, paragraph five substitutes "...won the highest number..." for "...won a higher number..."; omits sixth paragraph of earlier version, referring to majority vote for two or more candidates;

Article 53, paragraph one, and Article 54, paragraph three substitute "...local soviet of people's deputies..." for "...local soviet...";

Article 54, paragraph two omits reference to sealed envelopes;

Section IX, Article 55, paragraph one substitutes "...local soviets of people's deputies..." for "...local soviets...";

Article 55, paragraph four, first sentence substitutes "...candidate..." for "...candidates..." twice; second sentence omits "Furthermore..." at beginning of sentence and substitutes "...the highest number of votes..." for "...a higher number of votes...";

Article 56, paragraph two substitutes "...citizens..." for "...citizen..."; and "...elections in the given electoral district" for "...elections to the same soviet of people's deputies";

Article 57, paragraph two, second sentence substitutes "...the highest number of..." for "...a higher number of...";

Article 58, paragraph one substitutes "...local soviets of people's deputies..." for "...local soviets...";

Article 58, paragraph two substitutes "...soviet..." for "...soviet of people's deputies..." twice; omits earlier third paragraph about closing polling place early;

Section X, Article 59, paragraphs one and two substitute "...reserve people's deputies..." for "...reserve deputies..." twice each; paragraph one substitutes "...elected people's deputy..." for "...elected deputy...";

Article 60, paragraph one substitutes "...voters lists..." for "...voters list...";

Omits note (two paragraphs) referring to public discussion of proposed polling places in production facilities; adds signatures of Chairman of RSFSR Supreme Soviet Presidium V. Vorotnikov and Secretary of RSFSR Supreme Soviet Presidium S. Chistoplyasov and date and place: Moscow, Kremlin, 27 October 1989.

## Tajik SSR

### Tajik SSR Law on Elections of People's Deputies for Local Soviets

90US0090A *Dushanbe KOMMUNIST*  
*TADZHIKISTANA* in Russian 1 Oct 89 pp3-4

[“Law of the Tajik Soviet Socialist Republic on Elections of People's Deputies of the Tajik SSR Local Soviets of People's Deputies”]

#### [Text] I. General Provisions

##### Article 1. Fundamentals of Elections of Deputies of Tajik SSR Local Soviets of People's Deputies

In accordance with the Tajik SSR Constitution, the elections of the deputies of the Tajik SSR local Soviets of People's Deputies—oblast Soviets of People's Deputies, Soviets of People's Deputies of the Gorno-Badakhshan Autonomous Oblast, rayon, city, city rayon, settlement and village [kishlak] Soviets of People's Deputies—are carried out in one-mandate election okrugs on the basis of universal, equal and direct suffrage in secret voting.

##### Article 2. Universal Suffrage

The elections of the deputies of Tajik SSR local Soviets of People's Deputies are universal: All citizens of the Tajik SSR who have reached the age of 18 have the right to elect and be elected, with the exception of citizens who are mentally ill, who are recognized as incapable persons by a court, who are being kept in places of imprisonment, as well as who are, by court decision, in places of compulsory treatment.

Any direct or indirect restrictions of the suffrage of Tajik SSR citizens, depending on origin, social and property position, racial and nationality membership, sex, education, language, attitude to religion, time of residence in a given locality, the kind and character of occupations, are prohibited.

##### Article 3. Equal Suffrage

The elections of the deputies of Tajik SSR local Soviets of People's Deputies are equal: The voter in every election district has one vote, voters take part in elections on an equal basis.

Women and men have equal voting rights.

Servicemen enjoy voting rights equally with all citizens.

##### Article 4. Direct Suffrage

Elections of deputies of Tajik SSR local Soviets of People's Deputies are direct: Deputies of the local Soviets of People's Deputies are elected by the citizens directly.

##### Article 5. Secret Voting

Voting in elections of deputies of Tajik SSR local Soviets of People's Deputies Tajik SSR is secret: Any monitoring of the will of those voting is not allowed.

##### Article 6. Suffrage of Citizens of Other Union Republics

The citizens of other union republics enjoy on the territory of the Tajik SSR the same voting rights as the citizens of the Tajik SSR.

##### Article 7. Conduct of Elections by Election Commissions

The conduct of the elections of deputies of Tajik SSR local Soviets of People's Deputies is guaranteed by election commissions, which are formed from representatives of labor collectives, public organizations, collectives of students, and students of vocational-technical schools, institutions of secondary specialized and higher education, meetings of voters by place of residence, and servicemen in military units.

##### Article 8. Glasnost in the Preparation and Conduct of Elections of Deputies of Tajik SSR Local Soviets of People's Deputies

The preparation and conduct of the elections of deputies of the Tajik SSR local Soviets of People's Deputies are carried out by election commissions, labor collectives, and public organizations openly and publicly.

The election commissions inform the citizens about their work, about the formation of election okrugs, the composition, location and time of work of the election commissions, and the lists of voters.

The election commissions inform the citizens of the results of the registration of candidates for deputy, bring to their notice biographical data about the registered candidates for deputy, the results of the voting for every candidate, and the results of the elections.

The representatives of labor collectives, public organizations, meetings of voters by place of residence, and servicemen in military units, empowered persons, as well as representatives of the press, television and radio, have the right to be present at sessions of the election commissions, including during the registration of candidates for deputy, the sealing of ballot boxes before the beginning of voting, the counting of votes in the polling stations, the determination of the results of the elections by district and in summing up of the overall results of the elections. The powers of the representatives of labor collectives, public organizations, and meetings of voters by place of residence must be certified with an appropriate document, and their presence is communicated to the election commission no later than two days before the elections. The interference of the indicated representatives in the work of the commissions is not allowed.

The mass media illuminate the course of the preparation and the conduct of the elections of deputies of Tajik SSR local Soviets of People's Deputies, they are guaranteed unimpeded access to all meetings and sessions connected with the elections. The election commissions, state and public organs, and labor collectives give them information connected with the preparation and conduct of the elections.

**Article 9. Participation of Citizens, Labor Collectives, and Public Organizations in the Preparation and Conduct of Elections of Deputies of the Tajik SSR Local Soviets of People's Deputies**

Citizens of the Tajik SSR take part in the preparation and conduct of the elections of deputies of the Tajik SSR local Soviets of People's Deputies both through labor collectives, public organizations, collectives of students and university students, meetings of voters by place of residence, and servicemen in military units, as well as directly.

Labor collectives and public organizations take part in the preparation and conduct of the elections of deputies of the local Soviets of People's Deputies of the Tajik SSR both through their representatives in the election commissions and directly.

**Article 10. Right of Nomination of Candidates for Deputy of Tajik SSR Local Soviets of People's Deputies**

The right of the nomination of candidates for deputy of Tajik SSR local Soviets of People's Deputies belongs to labor collectives, public organizations, collectives of students and students of vocational-technical schools and institutions of secondary specialized and higher education, meetings of voters by place of residence, and servicemen in military units, and in elections to settlement and village Soviets also by the labor collectives of plants, departments, sectors, brigades, and other subdivisions of enterprises, institutions, organizations, and organs of public independent activity of the population.

**Article 11. Electors' Mandates to Deputies of Tajik SSR Local Soviets of People's Deputies**

Voters give mandates to their deputies.

The procedure for the introduction, generalization, review, and organization of the implementation of mandates is established by a Law of the Tazhik SSR.

**Article 12. Incompatibility of the Status of Deputy of the Tajik SSR Local Soviet of People's Deputies with Official Position**

Persons who are members of the executive committees of Tajik SSR local Soviet of People's Deputies, with the exception of the chairmen of settlement and village Soviets, directors of departments and administrations of the executive committees of local Soviets, judges and state arbiters cannot simultaneously be deputies of the Soviet by which they are appointed or elected.

**Article 13. Expenditures Connected with Elections of Deputies of Tajik SSR Local Soviets of People's Deputies. Material Support of Elections**

Expenditures connected with the preparation and conduct of the election of deputies of the local Soviets are effected at the expense of the budgetary funds of the state. The use of the funds of enterprises, institutions,

and organizations, including public funds and the funds of individual citizens, are prohibited.

Enterprises, institutions, organizations, state and public organs put at the disposal of the election commissions premises, equipment, materials and means of transportation necessary for the preparation and conduct of the elections.

Candidates for deputy of Tajik SSR local Soviets of People's Deputies and the voters do not bear the expenses connected with the preparation and conduct of the elections.

**Article 14. Responsibility for the Violation of Legislation on Elections of Deputies of Tajik SSR Local Soviets of People's Deputies**

Persons who prevent through violence, deception, threat or any other way the free realization, by the citizen of the Tajik SSR, of the right to elect and be elected deputy of the local Soviet and to conduct an election campaign, officials of state and public organs who have committed forgery of election documents, the deliberately incorrect counting of votes or have permitted other violations of the present Law, bear the responsibility established by law. Proceedings are also instituted against persons who have published or otherwise disseminated deliberately false information about a candidate for deputy or have committed other illegal actions degrading his dignity.

If a candidate for deputy violates the present Law, the corresponding election commission warns the candidate for deputy, and, if there is a repeat violation, can rescind its decision concerning his registration.

Statements concerning violations of the legislation on elections, which were received in the election commissions, state and public organs, during the period of preparation for the elections or after the elections, must be reviewed within a three day period, and those which were received on the day of the elections—immediately.

**II. Procedure for the Scheduling of Elections and the Formation of Election Okrugs**

**Article 15. Scheduling of Elections of Deputies of Tajik SSR Local Soviets of People's Deputies**

The elections of deputies to all Tajik SSR local Soviets of People's Deputies are carried out simultaneously and are scheduled by the Tajik SSR Supreme Soviet no later than three months before the expiration of the terms of office of the local Soviets of People's Deputies.

Information about the day of the election is published in the press.

**Article 16. Formation of Election Okrugs**

Elections okrugs are formed for elections of deputies of Tajik SSR local Soviets of People's Deputies

For elections of deputies to Tajik SSR local Soviets of People's Deputies, election okrugs are formed:

- to the oblast Soviet of People's Deputies—from 100 to 200 election okrugs;
- to the Soviet of People's Deputies of the Gorno-Badakhshan Autonomous Oblast—from 70 to 150 election okrugs;
- to the Dushanbe City Soviet of People's Deputies—up to 200 election okrugs;
- to the rayon Soviet of People's Deputies—from 50 to 100 election okrugs;
- to the city Soviet of People's Deputies of cities of republic and oblast subordination—from 50 to 200 election okrugs;
- to the city Soviet of People's Deputies of cities of rayon subordination—from 15 to 75 election okrugs;
- to the city rayon

### III. Election Districts

#### Article 17. Formation of Election Districts

For the conduct of voting and the counting of votes in the elections of deputies of the local Soviets of People's Deputies, the territory of the rayons, cities, and city rayons is divided into election districts. Election districts are formed also in military units and can be formed in sanatoria, in holiday homes, in hospitals and other permanent medical institutions, and in places where there are citizens located in settlements that are remote and difficult of access.

#### Article 18. Procedure and Norm for the Formation of Election Districts

Election districts are formed by rayon, city (except cities of rayon subordination), and city rayon Soviets of People's Deputies or their presidia by agreement with the okrug election commissions.

In the military units, election districts are formed by

by the district election commissions of those election districts, whose composition includes the territory of these election okrugs.

**Article 20. Formation of Election Commissions for Elections of Deputies of Tajik SSR Local Soviets of People's Deputies**

Election commissions for elections to oblast Soviets of People's Deputies, to the Soviet of People's Deputies of the Gorno-Badakhshan Autonomous Oblast, to rayon, city, city rayon, settlement, and village Soviets of People's Deputies are formed by the corresponding Soviets of People's Deputies or their presidia through an open or secret vote no later than 18 days before the elections with a membership of 9 to 15.

Representatives for membership of the election commissions are nominated by labor collectives or their councils, by oblast, rayon, city, and city rayon organs of public organizations, their primary organizations, collectives of students and university students, meetings of voters by place of residence, and servicemen in military units. The term of office of the election commissions enumerated in this article is five years.

**Article 21. Powers of the Election Commissions for Elections of Deputies of Tajik SSR Local Soviets of People's Deputies**

The oblast, rayon, city, city rayon, settlement and village election commission:

- 1) monitors the fulfillment of the present Law and guarantees its uniform application on the territory of the corresponding Soviet;
- 2) directs the activity of the okrug and district election commissions;
- 3) forms the election okrugs in accordance with elections to the oblast, rayon, city, city rayon, settlement and village Soviet of People's Deputies;
- 4) hears the reports of okrug and district election commissions, executive and administrative organs of local Soviets, directors of enterprises, institutions and organizations, as well as organs of public organizations, on questions connected with the preparation and conduct of the elections;
- 5) distributes funds to election commissions, supervises the provision of election commissions with premises, transportation, communications, and examines other questions of the material-technical supply of the elections;
- 6) secures, in a form established by the Presidium of the Tajik SSR Supreme Soviet, the preparation of the ballot for the elections of deputies of the local Soviets;

7) receives from the okrug election commissions protocols concerning the registration of candidates for deputy and publishes reports about the composition of the registered candidates for deputy of the corresponding Soviet, as well as protocols about the results of the elections of the deputy of the corresponding Soviet;

8) registers the elected deputies, summarizes the elections to the corresponding Soviet of People's Deputies, publishes information in the press about the election results and the list of elected deputies;

9) transmits, to the mandate commission of the corresponding Soviet of People's Deputies, documentation necessary for the verification of the powers of the deputies;

10) solves questions connected with the conduct of a run-off election and repeat elections;

11) solves questions concerned with the organization of a recall of deputies of the corresponding Soviet of People's Deputies;

12) schedules elections of deputies of the corresponding Soviet of People's Deputies in place of deputies who have dropped out and their conduct;

13) examines statements and complaints for the decisions and actions of the okrug and district election commissions and pronounces final judgment on them;

14) examines other powers in accordance with the present Law.

**Article 22. Formation of Okrug Election Commissions**

Okrug election commissions for elections to the oblast Soviet of People's Deputies, the Soviet of People's Deputies of Gorno-Badakhshan Autonomous Oblast, the rayon, city, and city rayon Soviet of People's Deputies are formed in every election district no later than 17 days before the elections with a membership of 7-13.

Representatives for membership in the okrug election commission are nominated by labor collectives or their Soviets, oblast, rayon, city, and city rayon organs of public organizations, their primary organizations, the collectives of students and university students, organs of public independent action of the population, and meetings of voters by place of residence, and servicemen in military units. In labor collectives numbering more than 150 workers, the nomination may be carried out at meetings of the collectives of shops, departments, sectors, brigades, and other subdivisions.

Okrug election commissions are formed by the corresponding Soviets of People's Deputies or their presidia.

The term of office of the okrug election commissions ends after the recognition of the the powers of the elected deputies by the corresponding local Soviet of People's Deputies.

**Article 23. Powers of the Okrug Election Commissions**

The okrug election commission:

- 1) Monitors the implementation of the present Law on the territory of the election okrug;
- 2) hears the reports of the district election commissions, executive and administrative organs of local Soviets, directors of enterprises, institutions, and organizations, as well as the organs of public organizations with respect to questions connected with the preparation and conduct of the elections;
- 3) registers the nominated candidates for deputy and the persons empowered by them, issues to them the appropriate certifications, and secures the publication of posters with biographical data about the candidates for deputy;
- 4) is responsible for the composition of the lists of voters by the district election commissions and their presentation for general acquaintance;
- 5) organizes the nomination of candidates for deputy;
- 6) organizes, jointly with the labor collectives and public organizations, meetings of the candidates for deputy with voters both in labor collectives, as well as meetings by their place of residence;
- 7) confirms the text of the ballot for the election okrug, secures the preparation of the ballots and supplies the election commissions with them;
- 8) establishes and publishes the election results by election okrug in the press and issues certifications to the elected deputy;
- 9) organizes the conduct of run-off elections and repeat elections, as well the elections of deputies in place of those who have dropped out;
- 10) examines statements and complaints about decisions and actions of the district election commissions and takes decisions with respect to them;
- 11) carries out other powers in accordance with the present Law.

**Article 24. Formation of District Election Commissions**

The district election commission is formed no later than 45 days before the elections with a membership of 5-19. In necessary cases, the composition of district election commissions may be increased or decreased. Representatives for membership in the district election commissions are nominated by labor collectives or their councils, rayon, city, and city rayon organs of public organizations, their primary organizations, collectives of students and university students, organs of public independent action of the population, and meetings of voters by place of residence and servicemen in military units.

District election commissions are formed by rayon, city (except cities of rayon subordination) and city rayon Soviets of People's Deputies or their presidia.

The term of office of district election commissions ends simultaneously with the end of the term of office of the okrug election commissions, established by Article 22 of the present Law.

**Article 25. Powers of District Election Commissions**

The district election committee:

- 1) composes the lists of voters by district;
- 2) acquaints the voters with the list of voters, accepts and examines statements about irregularities in the list and decides the question of introducing appropriate changes in it;
- 3) issues to voters certifications for the right to vote;
- 4) informs the population about the location of the district election commission and the time of its work, as well as about the day of the elections and the place of voting;
- 5) secures the preparation of the premises for voting and the ballot boxes;
- 6) organizes voting on the day of the elections in the election district;
- 7) carries out the counting of votes cast in the election district;
- 8) examines statements and complaints about questions of the preparation of the elections and the organization of the voting and takes decisions with respect to them;
- 9) carries out the powers of the okrug election commission in those cases where the okrug election commission is not formed;
- 10) carries out other powers in accordance with the present Law.

**Article 26. Organization of the Work of the Election Commissions**

The chairman, deputy chairman and secretary of the election commission are elected at the first session of the corresponding commission.

The decision concerning the formation of the election commission and the resolution of the election commission concerning the selection of its leaders are brought to the notice of the voters.

Sessions of the election commission are authorized if no less than two-thirds of the membership of the commission take part in it. The decision of the commission are taken by an open or secret vote of the majority of votes of the total membership of the commission. Members of the commission who disagree with its decision have the right to express a separate opinion, which, in written form, is appended to the protocol.

Decisions of the election commissions, adopted within the limits of their powers, must be executed by all state and public organs, enterprises, institutions, and organizations.

Decisions and actions of the election committee may be appealed to a higher election commission, and, in cases provided for by the present Law, also to a court.

A member of the election commission, including the chairman, the deputy chairman, and the secretary, upon its decision, may be released, during the period of the preparation and conduct of the election, from the fulfillment of production or office duties with retention of their average salary at the expense of funds allotted for the conduct of the elections.

The chairman, deputy chairman, secretary, or a member of the election commission may be released from their obligations in the commission by a higher election commission or the organ which formed the commission, upon personal application or upon recommendation of the labor collective, public organization, organ of public independent activity of the population, meeting of voters by place of residence, and servicemen in a military unit that nominated him. The nomination of a new representative to membership in the election commission is effected in accordance with the procedure established by the present Law.

#### **Article 27. Assistance to Election Commissions in the Realization of Their Powers**

State and public organs, enterprises, institutions, organizations, and officials are obligated to assist the election commissions in the realization of their powers, to present the information and materials necessary for their work.

The election commission has the right to turn with questions connected with the preparation and conduct of elections to state and public organs, to enterprises, organizations, and officials, who are obligated to examine the question raised and to give an answer to the election commission no later than within a three day period.

#### **V. List of Voters**

##### **Article 28. List of Voters and the Procedure for Its Compilation**

A list of voters is compiled for every election district and is signed by the chairman and secretary of the district election commission. For participation in the work of compiling the list, the district election commission may involve representatives of the public.

The executive committees of city, rayon, city rayon, settlement and village Soviets of People's Deputies secure a count of the voters and transmit information to the district election commissions about the voters living on the corresponding territory, which is necessary for the compilation of the lists of voters.

The lists of servicemen-voters, who are in military units, as well as members of the families of servicemen and other voters, if they live in regions where military units are located, are compiled on the basis of data submitted by the commanders of military units. Servicemen living outside military units are included in the lists of voters by place of residence on general grounds.

The lists of voters for election districts formed in holiday homes, sanatoria, hospitals and other permanent medical institutions are compiled on the basis of data submitted by the directors of the indicated institutions. The surnames of the voters are indicated in the order which is convenient for the organization of the voting.

#### **Article 29. Procedure for Including Citizens in the List of Voters**

The list of voters includes all citizens of the Tajik SSR who have reached the age of 18 by or on the day of the elections, who, at the time of the compilation of the list, live permanently or temporarily on the territory of a given election district and have the right to take part in the voting.

A voter cannot be included in the list of voters in other election districts.

Foreign citizens living on the territory of the Tajik SSR and persons without citizenship are not included in the list.

#### **Article 30. Acquaintance of Citizens With the List of Voters and the Right to Appeal Irregularities in the List of Voters**

Lists of voters represent are presented for general acquaintance 15 days before the elections, and in election districts formed in sanatoria and in holiday homes, hospitals and other permanent medical institutions—2 days before the elections.

Citizens are guaranteed the possibility of acquainting themselves with the list of voters and to verify the correctness of its composition in the premise of the district election committee.

Every citizen is given the right to appeal non-inclusion, incorrect inclusion, or exclusion from the list, as well as inaccuracies permitted in the list in the indication of data about the voter. A statement concerning incorrect information in the list is reviewed by the district election commission, which is obligated, no later than within a two-day period, and, on the eve and on the day of the elections—immediately, to examine the statement, to introduce necessary corrections in the list or to give to the declarant a copy of the decision, containing the reasons for the rejection of his statement. This decision can be appealed to the rayon (city) people's court no later than five days before the elections, which is obligated to examine the complaint within a three day period. The decision of the rayon (city) people's court is final. A

correction in the list of voters in accordance with the decision of a court is effected immediately by the district election commission.

**Article 31. Certification of the Right to Vote. Supplementary List of Voters**

In case a voter changes his residence during the period between the submission of the list of voters for general acquaintance and the day of the elections, the district election commission, at his request and upon presentation of his passport or other document certifying his identity, issues to the voter certification of the right to vote. In so doing, a corresponding note is made in the list of voters.

On the basis of the certification of the right to vote, the voter, on the day of the elections, is included in a supplementary list of voters in the election district by the place of his residence.

**VI. Nomination and Registration of Candidates for Deputy of Tajik SSR Local Soviets of People's Deputies**

**Article 32. Procedure for the Nomination of Candidates for Deputy of Tajik SSR Local Soviets of People's Deputies**

The nomination of candidates to deputy begins two months and ends one month before the elections.

The nomination of candidates for deputy is carried out at meetings (conferences) of the labor collectives of enterprises, institutions, and organizations, collectives of students and students of vocational-technical schools, institutions of secondary specialized and higher education located on the territory of the corresponding Soviet of People's Deputies, numbering no less than 100 people. Labor collectives numbering and collectives of students and university students numbering less than 100 people carry out the nomination of candidates for deputy at joint meetings (conferences) with other collectives.

In labor collectives numbering more than 150 people, the nomination of candidates can be carried out at meetings of the collectives of shops, departments, sectors, brigades and other subdivisions of enterprises, institutions and organizations.

The nomination of candidates to deputy from public organizations is carried out by oblast, rayon and city rayon organs.

The nomination of candidates for deputy is carried out at meetings of voters by place of residence, which are called by the okrug election commissions jointly with the Soviets of People's Deputies or their presidia, both on the basis of their own initiative and on the initiative of the organs of public independent activity of the population.

A proposal to hold a meeting of voters at the place of residence must be examined by the election commission

jointly with the Soviet of People's Deputies or its presidium within three days. The voters of an okrug are informed about the date, time and place of the conduct of the meeting. In the case the proposal to hold a meeting of voters at the place of residence is refused, the organ of public independent action of the population is given a copy of the decision with the reasons for the rejection. This decision may be appealed within a three day period to the rayon (city) people's court, which is obligated to review the complaint within a three day period. The decision of the court is final. The meeting is authorized if no fewer than 150 voters living in the territory of the election okrug for elections to the oblast Soviet and the Dushanbe City Soviet of People's Deputies, no fewer than 100 voters—for elections to the city and rayon Soviet, and no fewer than 75 voters—for electons to the settlement and village Soviet of People's Deputies are present.

Meetings of servicemen for the nomination of candidates for deputy are called by the commander of military units. If it is impossible to conduct a general meeting of the servicemen of a unit, the meetings are held by subdivisions.

At the meetings (conferences) conditions are created for the nomination of an unlimited number of candidatures and their broad and free discussion. Every participant of the meeting has the right to introduce proposals concerning candidates for deputy, to take part in their discussion, to support the candidatures being proposed or to introduce proposals for their rejection. A participant of the meeting can offer for discussion his candidacy for deputy.

The decision concerning the nomination of a candidate for deputy is taken at a meeting through open or secret voting. The procedure for voting and other procedural questions are established by a meeting (conference), or organ of a public organization.

Only one candidate for deputy is nominated from every labor collective, collective of students, university students, public organization, meeting of voters by place of residence, and servicemen in military units.

A candidate for deputy is considered nominated if more than half of the participants of the meeting (conference) or the majority of the total membership of an organ of the public organization voted for it. A protocol is composed about the nomination of candidates for deputy. The candidate for deputy is informed about the decision taken no later than within a two day period.

Candidates nominated for deputy of the oblast Soviet of People's Deputies include citizens who work and live in the territory of the city and rayon of the corresponding oblast Soviet. Candidates nominated for deputy of the rayon, city, city rayon, settlement and village Soviet of People's Deputies include citizens working or living in the territory of the corresponding Soviet of People's Deputies.

A citizen of the Tajik SSR can be a deputy of only one Tajik SSR Soviet of People's Deputies.

**Article 33. Registration of Candidates for Deputy of Tajik SSR Local Soviets of People's Deputies**

Candidates for deputy are registered by the okrug election commission upon the recommendation of labor collectives, organs of public organizations, collectives of students and university students, meetings of voters at the place of residence, and servicemen in military units, which nominated the candidates for deputy.

The registration of candidates for deputy begins a month and ends 20 days before the day of the elections.

The decision concerning the registration of candidates for deputy is taken in the presence of the following documents: Protocols of meetings concerning the nomination of candidates for deputy for a given election okrug, and the declarations of the candidates for deputy concerning their agreement to be a candidate for the given election okrug.

The persons enumerated in Article 12 of the present Law, as well as persons who are deputies of another Tajik SSR Soviet of People's Deputies, during their nomination as candidates for deputy, in their declarations indicate their intention to vacate the posts occupied by them in case of their election as deputies, or to discontinue their deputy powers in another Soviet of People's Deputies ahead of time, or communicate the withdrawal of their candidacies.

About the registration of the candidates for deputy, the election commission composes a protocol, which, together with the declaration of the candidate for deputy concerning his agreement to be a candidate in the given election okrug, is submitted to the corresponding oblast, rayon, city, city rayon, settlement and village election commission.

All candidates for deputy nominated with observance of the requirements of the present Law must be registered in accordance with the required procedure. Refusal to register a candidate for deputy may be appealed within a three day period respectively to the higher election commission, the Soviet of People's Deputies, or its presidium.

A candidate for deputy cannot be in a corresponding oblast, rayon, city, city rayon, settlement or village election commission, as well as in okrug or district election commissions, which are organizing the voting for the given election okrug. A person who is nominated as a candidate for deputy and who is in one of the indicated commissions is released from his obligations in the commission from the moment of his registration as a candidate of deputy.

The okrug election committee, no later than during the fourth day after the registration of the candidates for deputy, publishes information about the registration

with indication of surname, name, patronymic, year of birth, position held (profession), place of work and residence of every candidate for deputy.

A candidate for deputy registered in one election okrug of a local Soviet cannot present himself for registration in another election okrug, including in the case of the withdrawal of his candidacy in the election district where he was registered originally.

Every registered candidate for deputy of a local Soviet is given a certification.

**Article 34. Repeal of Decision to Nominate a Candidate for Deputy of Tajik SSR Local Soviets of People's Deputies. Withdrawal of a Candidate's Candidacy**

A labor collective, the organ of a public organization, a collective of students and university students, a meeting of voters at the place of residence and servicemen in military units, which have nominated a candidate for deputy, have the right, at any time before the elections, to rescind their decision about the nomination of a candidate for deputy. The decision on this question is taken in the order stipulated for the nomination of a candidate for deputy and is submitted to the corresponding district election commission.

A candidate for deputy, at any time before the elections, may withdraw his candidacy, having turned with a declaration to this effect to the corresponding okrug election commission.

The election commission which registered a candidate for deputy informs the population about the repeal of the decision to nominate the candidate for deputy or about the withdrawal, by a candidate, of his candidacy.

**Article 35. Procedure for the Nomination of Candidates for Deputy of Tajik SSR Local Soviets of People's Deputies in Place of Those Who Dropped Out**

In case a candidate for deputy drops out after the end of the period of the registration of candidates for deputy, if no other candidates are left in the election okrug, the okrug election commission, with the permission of the corresponding oblast, rayon, city, city rayon, settlement, and village election commission, turns to labor collectives, collectives of students and university students, public organizations, general meetings of citizens at the place of residence, meetings of servicemen in military units, and the voters of the election okrug with a proposal to nominate new candidates for deputy.

If candidates for deputy drop out less than a month before the elections, elections of a deputy from the corresponding election district are carried out within a two month period after the general elections.

The nomination of candidates for deputy in place of those who dropped out is carried out in accordance with the procedure established by the present Law.

**Article 36. Ballot**

In the ballot are included, in alphabetical order, all the registered candidates for deputy with indication of surname, name, patronymic, position held (profession), place of work and residence of every candidate for deputy. Ballots are printed in the languages that are used by the population of the election okrug.

**VII. Guarantees of the Activity of Candidates for Deputy of the Tajik SSR Local Soviets of People's Deputies****Article 37. Right of the Candidate for Deputy of Tajik SSR Local Soviets of People's Deputies to Participate in the Election Campaign**

Candidates for deputy of the local Soviets, from the moment of their nomination, take part in the election campaign on the different levels.

Candidates for deputy have the right to appear at election and other meetings, sessions, conferences, in the press, on television and radio.

State and public organs, the directors of enterprises, institutions and organizations, and the organs of public independent activity of the population are obligated to assist the candidate for deputy in the organization of meetings with voters, in receiving the necessary reference and information materials.

**Article 38. Election Program of the Candidate for Deputy of Tajik SSR Local Soviets of People's Deputies**

A candidate for deputy may come out with a program of his future activity. The program of a candidate for deputy must not contradict the Constitution of the USSR, the Constitution of the Tajik SSR, the laws of the USSR and of the Tajik SSR.

**Article 39. Persons Empowered by the Candidate for Deputy of Tajik SSR Local Soviets of People's Deputies**

A candidate for deputy of an oblast Soviet may have up to three, of city and rayon Soviets—up to two persons, of the settlement and village Soviets—one person, who are/is empowered by him and who help him in the conduct of the election campaign, campaign for his election as deputy, represent his interests in interrelations with state and public organs, voters, and also in the election commissions.

A candidate for deputy determines persons empowered by him at his discretion and reports them for registration to the okrug election commission. After registration of the persons empowered, the election commission issues certifications to them. A candidate for deputy has the right, at any time before the elections, to replace the persons empowered by him.

A person empowered may not be in any of the election commissions of the okrug.

For the time of the conduct of election meetings, persons empowered, upon the request of the candidate, may be released from the fulfillment of production or office obligations with retention of their average salary at the expense of funds allotted for the conduct of the elections.

**Article 40. Election Campaign**

Labor collectives, public organizations, collectives of students and university students, and voters at the place of residence, which have nominated candidates for deputy, are given the right of unimpeded campaigning for their candidates.

Labor collectives, public organizations, collectives of students and university students, voters by place of residence, and servicemen in military units are given equipped premises free of charge by the election commissions for assemblies and meetings, as well as mass media for the conduct of election campaigns.

Citizens of the Tajik SSR, labor collectives and public organizations are guaranteed the possibility of free and comprehensive discussion of political, business, and personal qualities of the candidates for deputy, as well as the right to campaign for or against candidates at meetings, in the press, on television and radio.

Candidates for deputy hold meetings with their voters both at gatherings and in any other form convenient for the voters. Meetings of voters are organized by the election commission jointly with the corresponding Soviet of People's Deputies or its presidium, and by organs of public organizations.

Voters are given notice at least three days in advance about the time and place of gatherings and meetings.

Election campaigns must be conducted within the limits of business-like and constructive discussion, excluding incidents of a disrespectful attitude to one candidate for deputy or another. Campaigning on the day of the elections is not permitted.

**Article 41. Release of a Candidate for Deputy of Tajik SSR Local Soviets of People's Deputies from Production or Office Obligation for Participation in Election Measures**

After registration, a candidate for deputy, for the time required to hold meetings with voters, appearances at elections gatherings, on television and radio is released from the fulfillment of production or office obligations with retention of his average salary at the expense of the funds that are allotted for the conduct of the elections.

**Article 42. Right of the Candidate for Deputy of Tajik SSR Soviets of People's Deputies to Free Passage**

After registration, the candidate for deputy of Tajik SSR local Soviets of People's Deputies has the right to free passage on all types of passenger transport (with the exception of taxis) within the boundaries of the corresponding election district. A candidate for deputy, who lives outside the boundaries of the election district, enjoys the same right to passage into the election district and return to the place of residence.

#### **Article 43. Inviolability of the Candidate for Deputy of Tajik SSR of Local Soviet of People's Deputies**

A candidate for deputy of Tajik SSR local Soviets of People's Deputies cannot have criminal proceedings instituted against them, be arrested, or subjected to administrative penalty imposed through judicial proceedings, without the agreement of the corresponding Soviet of People's Deputies or its presidium.

#### **VIII. Procedure for Voting and Summing Up of Election Results**

##### **Article 44. Time and Place of Voting**

During the elections of deputies of Tajik SSR local Soviets of People's Deputies, the voting is carried out on the day of the elections from 7 am to 8 pm local time. The district election commission informs the voters about the time and place of voting no later than 10 days before the elections.

In election districts formed in military units, in places where citizens are located in settlements that are remote and difficult of access, as well as sanatoria and holiday homes, in hospitals and other permanent medical institutions, the district election commission can declare the voting closed at any time, if all the voters entered in the list have voted.

##### **Article 45. Organization of Voting**

Voting takes place in specially allotted premises, in which cabins or rooms must be equipped for secret voting in sufficient quantity, places must be determined for giving out ballots, and ballot boxes must be set up. Ballot boxes are set up in such a way that the voters, when they approach them, must without fail pass through cabins or rooms for secret voting.

Responsibility for the organization of voting, guaranteeing the secrecy of the will of the voters, the equipment of the premises, and the maintenance of the necessary order in them rests with the district election commission.

On the day of the elections, before the beginning of voting, the ballot boxes are checked and sealed by the chairman of the election commission in the presence of all the members of the commission.

Every voter votes in person; voting for other persons is not allowed. Ballots are given out by the corresponding election commission on the basis of the list of voters of the election district, certification of the right to vote, the presentation of a passport or another certification of identity. The issue of ballots is noted in the list of voters. Certifications of the right to vote are appended to the supplementary list of voters.

In cases where individual voters, for reasons of health or for other reasons, cannot come to the voting premises, the district election commission, at their request,

instructs members of the commission to organize voting wherever these voters are, which is noted in the list of voters.

##### **Article 46. Conduct of Voting**

The ballots are filled out by the voters in a cabin or in a room for secret voting. During the filling out of the ballot, the presence of anyone besides the voter is prohibited. A voter who does not have the possibility to fill out the ballot independently has the right to invite into the cabin or room for secret voting another person at his discretion, besides a member of the election commission.

During the election of deputies of Tajik SSR local Soviets of People's Deputies, the voter crosses out the names of the candidate against whom he is voting.

The voter drops the filled-out ballot into the ballot box.

##### **Article 47. Counting of Votes in the Election District**

During the elections of deputies of Tajik SSR local Soviets of People's Deputies, the counting of votes in the election district is carried out separately for every election district for elections to the corresponding Soviet of People's Deputies and for each candidate for deputy.

The ballot boxes are opened by the district election commission in the presence of all of its members after the voting has been declared closed by the commission chairman. The opening of ballot boxes before the end of the voting is prohibited. Before the opening of the ballot boxes, all unused ballots are counted and cancelled by the district election commission.

The district election commission, on the basis of the basic and supplementary lists of voters, establishes the total number of voters in the district, as well as the number of voters who received a ballot. On the basis of the ballots that are in the ballot boxes, for every election okrug (within the boundaries of a given election district), the commission establishes: The total number of voters who took part in the voting; the number of votes cast for, and the number of votes cast against, every candidate for deputy; the number of ballots recognized as invalid. Votes are not counted for the surnames of citizens added to the ballot by voters.

Ballots of unestablished format, as well as ballots in which more than one candidate has been left during the voting, are recognized as invalid. Ballots in which all names of candidates for deputy have been crossed out, are considered as invalid. For them, the votes are counted as cast against every candidate. If doubts arise about the validity of a ballot, the question is solved by the district election commission through voting.

The results of the counting of the votes are examined at a session of the district election committee and are entered into the protocol that is composed separately for every election okrug. The protocol is signed by the chairman, the deputy chairman, the secretary, and the

members of the commission and are forwarded to the corresponding okrug commission.

#### **Article 48. Establishment of Election Results for the Election Okrug**

On the basis of the protocols of the district election commissions, the okrug election commission determines: The total number of voters for the okrug; the number of voters who received ballots; the number of voters who took part in the voting; the number of votes cast for, and the number of votes cast against, each candidate for deputy; and the number of ballots recognized as invalid.

Considered elected is the candidate for deputy of the Tajik SSR local Soviet of People's Deputies who in the elections received more than half of the votes of the voters who took part in the voting.

The okrug election commission may recognize elections as invalid because of violations of the present Law permitted in the course of the elections or during the counting of the votes.

The elections are recognized as not having been held if less than half of the voters entered in the list of voters took part in them, as well as in connection with the dropping out of a candidate for deputy.

The results of the elections for an election okrug are established at a session of the okrug election commission and are entered in the protocol. The protocol is signed by the chairman, the deputy chairman, the secretary, and the members of the commission and are forwarded to the corresponding oblast, rayon, city rayon, settlement and village election commission.

#### **Article 49. Registration of Deputies of Tajik SSR Local Soviets of People's Deputies**

The oblast, rayon, city, city rayon, settlement and village election commission, on the basis of the protocols of the protocols of the okrug election commissions received by it, registers the elected deputies of Tajik SSR local Soviets of People's Deputies.

The election commission may recognize elections as invalid if, during the elections or during the counting of the votes or the determination of the election results, violations of the present Law took place, and refuse to register the deputy.

#### **Article 50. Publication of the Results of the Elections of Deputies of Tajik SSR Soviet of People's Deputies**

Information about the results of the elections to the oblast Soviet of People's Deputies, the Soviet of People's Deputies of the Gorno-Badakhshan Autonomous Oblast, the rayon, city, city rayon, settlement, and village Soviet of People's Deputy and the list of the elected deputies are published by the corresponding election commission in the press no later than within a 10-day period, in alphabetical order with indication of the surname, name,

patronymic, position occupied (profession), party membership, place of work and residence of the deputy, the election okrug from which he was elected deputy; the number of voters who took part in the voting; the number of votes cast for, and the number of votes against, each candidate; the number of invalid ballots; and the number of okrugs in which repeat elections or run-off elections will be held.

#### **Article 51. Certification and Chest Badge of the Deputy of the Tajik SSR Local Soviet of People's Deputies**

After publication, in the press, of the list of deputies registered by the corresponding election commission, the okrug election commission issues to each elected deputy certification of his election.

After confirmation of the powers of the elected deputies by the Soviet of People's Deputies, the certifications of their election as deputy issued to them are replaced with the certifications of deputy. The deputy is also issued a corresponding chest badge.

#### **IX. Run-Off Elections, Repeat Elections and Elections of Deputies of Tajik SSR Local Soviets of People's Deputies in Place of Deputies Who Have Dropped Out, Elections to Newly Formed Administrative-Territorial Units**

##### **Article 52. Run-Off Election**

If more than two candidates for deputy of Tajik SSR local Soviets of People's Deputies ran in an election okrug and not one of them was elected, the okrug election commission takes the decision on the conduct, in the okrug, of a run-off election of the two candidates for deputy who received the greatest number of votes. The okrug election commission reports this decision to the corresponding election commission and informs the voters of the okrug. The run-off election in the election district is held no later than within a two week period with observance of the requirements of present Law.

Considered elected is the candidate for deputy who, in the run-off election, received the greatest number of votes of the voters who took part in the voting.

If, in the run-off election, one of the candidates drops out for any reason, the voting is held on one candidate. In so doing, in order to be elected, the candidate for deputy has to receive more than half of the votes from the number of voters who took part in the voting.

##### **Article 53. Repeat Elections**

If no more than two candidates for deputy of Tajik SSR local Soviets of People's Deputies ran in an election district and not one of them was elected, or the elections in the election district were recognized as not having been held, or as invalid, or if a run-off election did not allow the determination of an elected deputy, the corresponding election commission instructs the okrug election commission to hold repeat elections in the election okrug. In so doing, it may take a decision concerning the

necessity of holding the elections of okrug and district election commissions with a new membership. The voting is held in the same election districts and in accordance with the lists of voters composed for the holding of the general elections.

Repeat elections are held no later than within a two month period after the general elections. The formation of the election commissions, the registration of candidates for deputy and other measures are held in accordance with the procedure established by the present Law.

In the case of repeat elections, a citizen of the Tajik SSR, who has not taken the necessary number of votes in the course of the general elections to the same Soviet of People's Deputies, cannot again stand for election as candidate for deputy.

**Article 54. Conduct of Elections of Deputies of Tajik SSR Local Soviets of People's Deputies in Place of Those Who Dropped Out**

In case the powers of individual deputies are recognized as invalid by the Soviet of People's Deputies, and also in the case of the recall of a deputy and the ahead-of-schedule ending of deputy powers for other reasons, new elections are held in the corresponding election okrugs within a three month period from the moment of the dropping out of a deputy. The elections are scheduled by the corresponding election commission no later than two months prior to their being held and are organized with observance of the requirements of the present Law. In so doing, the okrug election commission is formed 25 days, the district commissions—1 month before the elections, the registration of candidates for deputy ends 20 days before the elections.

In the case a deputy of Tajik SSR Local Soviets of People's Deputies drops out less than six months before the expiration of the term of office of the corresponding Tajik SSR Soviet of People's Deputies, elections for a deputy in place of the one who dropped out are not held.

**Article 55. Conduct of Elections of Deputies of Local Soviets of People's Deputies in Newly Formed Administrative-Territorial Units**

Elections of deputies of local Soviets of People's Deputies in newly formed administrative-territorial units are held in cases where the formation of a Soviet of People's Deputies is impossible in view of the absence or an insufficient number of deputies elected to the Soviet in the territory which goes to make up the newly formed oblast, rayon, city, city rayon, settlement, or village Soviet.

Elections to an oblast, rayon and city (rayons and cities of republic subordination) Soviet of People's Deputies are scheduled by the Tajik SSR Supreme Soviet or its Presidium, for a rayon, city, city rayon, settlement or village Soviet of People's Deputies—by the corresponding higher Soviet or its presidium no later than within one month before the day of the formation of the

administrative-territorial unit and are held in accordance with the present Law.

The formation of election okrugs and the confirmation of the composition of the oblast, rayon, city, city rayon, settlement, and village election commission, as well as the okrug election commissions are carried out correspondingly by the Tajik SSR Supreme Soviet or its Presidium and the Soviet of People's Deputies or its presidium which scheduled the election.

Voting may be ended earlier than 8 pm local time if all voters, entered in the lists of voters, have voted.

## Turkmen SSR

**Turkmen SSR Law on Elections of People's Deputies for Local Soviets**

*90US0210A Ashkhabad TURKMENSKAYA ISKRA in Russian 25 Oct 89 pp 1-4*

[“Law of the Turkmen Soviet Socialist Republic on Elections of Deputies of the Local Turkmen SSR Soviets of People's Deputies,” 20 October 1989]

**[Text] I. Fundamental Principles**

**Article 1. Principles of Electing Deputies to Turkmen SSR Local Soviets of People's Deputies**

In accordance with the Turkmen SSR Constitution, elections of deputies to the Turkmen SSR local soviets of people's deputies shall be conducted for single-seat or multi-seat election okrugs on the basis of universal, equal, and direct suffrage with secret balloting. The term of office for deputies to Turkmen SSR local soviets of people's deputies shall be five years.

**Article 2. Universal Suffrage**

Elections of deputies to oblast, rayon, municipal, municipal-district, settlement, and village Turkmen SSR soviets of people's deputies shall be universal: citizens of the Turkmen SSR who have reached the age of 18 by Election Day shall have the right to vote and be elected.

No direct or indirect restrictions on the suffrage of Turkmen SSR citizens depending upon origin, social and property status, racial and ethnic affiliation, sex, education, language, attitude toward religion, time period of residence in the locality in question, or type and nature of occupation shall be permitted.

The following categories of persons shall not participate in the elections: mentally ill citizens, persons who have been deemed incompetent by a court, persons being held in places of incarceration, as well as persons who are in places of compulsory treatment in accordance with a court decision.

Citizens of other union republics who are residing on the territory of the Turkmen SSR, as well as military service

personnel at military units stationed on the territory of the Turkmen SSR, shall participate in the elections on general grounds.

#### **Article 3. Equal Suffrage**

Elections of deputies to local soviets shall be equal: each voter shall have one vote; voters, as well as candidates for the office of deputy shall participate in the elections on equal grounds.

#### **Article 4. Direct Suffrage**

Elections of deputies to local soviets shall be direct: people's deputies shall be elected by citizens directly.

#### **Article 5. Secret Balloting**

Balloting at elections of deputies to local soviets shall be secret: monitoring controls on the voters' expression of their will shall not be allowed.

#### **Article 6. Conduct of Elections by Electoral Commissions**

The conduct of elections of deputies to local soviets shall be provided by electoral commissions, which shall be formed of representatives of labor collectives, collectives of educational institutions, public organizations, voters at their places of residence, and military service personnel at their military units.

#### **Article 7. Glasnost in Preparing and Conducting the Elections of Deputies to Turkmen SSR Local Soviets of People's Deputies**

The preparation and conduct of elections of deputies to local soviets shall be performed by electoral commissions, labor collectives, collectives of educational institutions, and public organizations openly and in the spirit of glasnost.

Electoral commissions shall inform citizens about their work, about the formation of election okrugs, about the composition, location, and operating schedule of the electoral commissions, as well as about the lists of voters. The electoral commissions shall inform citizens about the results of registering candidates for the office of deputy, provide data on the registered candidates, the results of balloting for each candidate, and the election results.

Sessions of the electoral commissions, when the ballot boxes are being sealed with lead or wax prior to the beginning of balloting and when the votes are being tallied in the election district, when the election results are being determined for the okrug, and when the overall election results are being summed up, shall be rightfully attended by representatives of labor collectives, collectives of educational institutions, public organizations, meetings of voters according to their places of residence, and military service personnel according to their military units, as well as by the organs of state authority, certified agents of the candidates for the office of deputy, along with representatives of the press, television, and

radio. Their appeals concerning violations of the present Law must be immediately examined by the electoral commissions.

The powers of the above-indicated representatives must be certified by the appropriate document. The intention of the representatives to be in attendance on Election Day in the rooms set aside for balloting or at the sessions held by the electoral commissions must be communicated to the appropriate electoral commissions not later than two days prior to the elections.

The mass media shall elucidate the course being followed in preparing for and conducting the elections. The electoral commissions, as well as the state and public organs and labor collectives shall present them with information concerning matters of preparing for and conducting the elections.

#### **Article 8. Participation of Citizens, Labor Collectives, Collectives of Educational Institutions and Public Organizations in Preparing for and Conducting Elections of Deputies to Turkmen SSR Local Soviets of People's Deputies**

Citizens of the Turkmen SSR shall take part in preparing for and conducting the elections of deputies to local soviets through labor collectives, collectives of educational institutions, public organizations, meetings of voters according to their places of residence, military service personnel according to their military units, and okrug-level pre-election meetings, as well as directly.

Labor collectives, collectives of educational institutions, public organizations, meetings of voters according to their places of residence, and military service personnel according to their military units shall participate in preparing for and conducting elections of deputies to the local soviets through their own representatives on the election commissions, as well as directly.

#### **Article 9. The Right to Nominate Candidates to the Office of Deputy to Turkmen SSR Local Soviets of People's Deputies**

The right to nominate candidates to the office of deputy to local soviets shall belong to labor collectives, collectives of educational institutions, public organizations, meetings of voters according to their places of residence, and military service personnel according to their military units.

#### **Article 10. Instructions of Voters to Deputies to the Turkmen SSR Local Soviets of People's Deputies**

Voters shall give instructions to their deputies.

The procedure for introducing, summarizing, examining, and organizing the execution of instructions shall be established by legislation of the USSR and the Turkmen SSR.

**Article 11. Incompatibility of the Status of a Deputy to a Turkmen SSR Local Soviet of People's Deputies with an Official Position**

Persons included on the staffs of the executive committees of Turkmen SSR local soviets of people's deputies, with the exception of the chairmen of these organs, leading officials of divisions and administrations of executive committees of local soviets, judges, and state arbiters, cannot be at the same time deputies of a local soviet to which they have been appointed or elected.

**Article 12. Expenses Connected with the Elections of Deputies to Turkmen SSR Local Soviets of People's Deputies. Financial Support of Elections**

Expenses connected with preparing for and conducting the elections of deputies to local soviets shall be handled by means of the republic's budgetary funds. Utilization of funds from enterprises, institutions, and organizations, or from public organizations for these purposes shall not be permitted.

Enterprises, institutions and organizations, educational institutions, state and public organs shall offer for the disposal of electoral commissions rooms, equipment, and means of transport necessary for preparing and conducting elections.

Candidates for the office of deputy to the local soviets, their certified agents, and the voters shall not bear the expenses connected with preparing and conducting elections.

**Article 13. Responsibility for Violating Legislation Concerning Elections**

Persons who hinder by means of force, deceit, threats, or other methods the free exercise by a citizen of the Turkmen SSR of the right to vote for and be elected a deputy to a Turkmen SSR local soviet of people's deputies, to conduct pre-election campaigning, as well as members of electoral commissions, officials of state and public organs, who have committed a forgery of election documents, who knowingly have made an incorrect vote tally, who have violated the secrecy of balloting, or who have committed other violations of the present law, shall bear the responsibility established by law. Also to be held responsible are those persons who have disseminated by any means information which they know to be false and defamatory about a candidate for the office of deputy.

In case a candidate for the office of deputy violates the present law, the appropriate electoral commission can abrogate its decision to register him.

Statements concerning violations of the legislation concerning elections which come in to the electoral commissions and public organs during the period of preparing for the elections or after the elections must be examined within a week's time, whereas those which arrive on Election Day must be examined immediately.

**II. Procedure for Scheduling Elections and Forming Electoral Okrugs**

**Article 14. Scheduling Elections**

The elections of deputies to all Turkmen SSR local soviets of people's deputies shall be conducted at the same time and shall be scheduled by the Turkmen SSR Supreme Soviet not later than two and one-half months prior to the expiration of the terms of office of deputies to the local soviets.

The announcement of Election Day shall be published in the press.

**Article 15. Procedure for Forming Election Okrugs**

Election okrugs shall be formed (and the number of seats shall be established) for the elections of deputies to the Turkmen SSR local soviets of people's deputies:

in the oblast and Ashkhabad City Soviet of People's Deputies—from 75 to 150 election okrugs;

in the rayon and municipal-district Soviet of People's Deputies—from 50 to 100 election okrugs;

in the City Soviet of People's Deputies of cities under republic- and oblast-level jurisdiction—from 50 to 125 election okrugs;

in the City Soviet of People's Deputies of cities under rayon jurisdiction, in settlement and village soviets of people's deputies—from 20 to 50 election okrugs (seats).

Within the limits of the norms established by the present article of the law, upon the proposal of the appropriate soviets of people's deputies or their presidiums, the number of election okrugs (seats) shall be determined as follows:

for elections in oblast, rayon, and municipal (rayons and cities under republic-level jurisdiction) the Soviet of People's Deputies shall be determined by the Turkmen SSR Supreme Soviet or its presidium;

for elections to rayon, city (except for districts in cities under republic-level jurisdiction), municipal-district, settlement, and village soviets of people's deputies—by the higher-ranking Soviet of People's Deputies or its presidium.

Election okrugs shall be formed by the appropriate oblast, rayon, city, municipal-district, settlement, and village soviet, taking into consideration the administrative-territorial division and other features of the territory, while observing an approximately equal number of voters, as calculated per election okrug or seat.

The elections of deputies to all local soviets with the exception of settlement and village soviets shall be conducted by single-seat election okrugs. The elections of deputies to settlement or village soviets, upon the decision of the appropriate soviet, can be conducted either as a single-seat or as a multi-seat election okrug.

Multi-seat election okrugs shall be formed on the boundaries of individual or directly adjacent populated centers, neighborhoods, districts, quarters, streets, and other components of populated centers.

Upon the decision of a settlement or a village soviet of people's deputies to which no more than 25 deputies are being elected, it is possible not to form election okrugs, but rather to conduct the elections on the total list of candidates for the office of deputy by all the voters living on the territory of the soviet in question. In that case, the territory of the soviet shall be one, multi-seat okrug.

The lists of election okrugs with an indication of their boundaries shall be published by the appropriate oblast, rayon, city, municipal-district, settlement, or village electoral commission not later than the tenth day after the scheduling of the elections.

### III. Election Districts

#### Article 16. Formation of Election Districts

In order to conduct voting and tally up the votes during the elections of deputies to the Turkmen SSR local soviets of people's deputies, the territory of the rayons, cities, and municipal districts shall be divided into election districts. They shall also be formed in military units and included in election okrugs according to the places where the military units are stationed.

Election districts may be formed in places where citizens are located in regions which are remote and difficult to reach, and they shall be included in election okrugs according to their locations.

#### Article 17. Procedure and Norm for Forming Election Districts

Election districts shall be formed by rayon, city (except for cities under rayon jurisdiction), and municipal-district soviets of people's deputies, or their presidiums upon reaching agreement with the rayon, city, municipal-district, settlement, or village electoral commissions, and with the okrug-level electoral commissions. In military units election districts shall be formed by the local soviets of people's deputies or their presidiums upon the presentation of the proper forms by the commanders of the military units or formations involved.

Election districts shall be formed not later than the 20th day after the scheduling of elections. In military units as well as in remote and hard-to-reach regions election districts shall be formed within the same time period, and in exceptional cases—not later than five days prior to the elections.

Election districts shall be formed with a number of no less than 20 and no more than 3,000 voters.

The appropriate local soviet of people's deputies or its presidium shall inform the voters about the boundaries

of each election district with an indication of the composition and the location of the district electoral commission and the polling stations.

### IV. Electoral Commissions

#### Article 18. System of Electoral Commissions

Electoral commissions shall be formed in order to conduct elections of deputies to Turkmen SSR local soviets of people's deputies as follows:

in an oblast, rayon, city, municipal district, settlement, or village soviet—an oblast, rayon, city, municipal-district, settlement, and village electoral commissions for electing the appropriate local soviets of people's deputies;

in the election okrug for elections of deputies to the oblast and Ashkhabad City Soviet of People's Deputies—an okrug electoral commission;

in an election district—a district electoral commission.

#### Article 19. Nomination of Representatives to the Staff of the Electoral Commissions

Electoral commissions for electing deputies to Turkmen SSR local soviets of people's deputies shall be formed from representatives of labor collectives, collectives of educational institutions, public organizations, meetings of voters according to their places of residence, and military service personnel according to their military units.

Representatives to the staffs of oblast, rayon, city, municipal-district, settlement, and village electoral commissions, as well as okrug electoral commissions for elections to the oblast, Ashkhabad City Soviet shall be nominated by labor collectives or their councils, by meetings of plenipotentiaries or boards of kolkhozes, by collectives of educational institutions, by the oblast, rayon, city, municipal-district organs of public organizations, their primary organizations, meetings of voters according to their places of residence, and military service personnel according to their military units.

Representatives to the staffs of electoral commissions shall be nominated by labor collectives or their councils, by meetings of plenipotentiaries or boards of kolkhozes, collectives of educational institutions, rayon, city, and municipal-district organs of public organizations, their primary organizations, their primary organizations, organs of public amateur activities, meetings of voters according to their places of residence, and military service personnel according to their military units.

In order to specify or delimit the labor collectives, collectives of educational institutions and public organizations nominating representatives to the staffs of the electoral commissions, the soviets of people's deputies or their presidiums can hold conferences of plenipotentiary labor collectives, collectives of educational institutions

and public organizations located on the territory of the appropriate soviets of people's deputies.

In large labor collectives meetings for the purpose of nominating representatives to the staffs of electoral commissions can be held by shops, sections, shifts, departments, brigades, and other structural subdivisions of enterprises, institutions, organizations, and farms on condition that they employ at least 50 persons.

Meetings of voters according to their places of residence shall be entitled to nominate representatives to the staffs of electoral commissions if at least 50 voters take part in the meeting. Meetings shall be convoked by the appropriate soviets of people's deputies or by their presidiums (ispolkom).

#### **Article 20. Formation of Oblast, Rayon, City, Municipal-District, Settlement, and Village Electoral Commissions**

The oblast and Ashkhabad City Electoral Commission for electing deputies to the oblast and Ashkhabad City Soviet of People's Deputies shall be formed with 15-19 commission members.

Rayon, city, and municipal-district electoral commissions for electing deputies to rayon, city, and municipal-district soviets of people's deputies shall be formed with a size of 13-17 commission members.

City (under rayon jurisdiction), settlement, and village electoral commissions for electing deputies to city (under rayon jurisdiction), settlement, and village soviets of people's deputies shall be formed with a size of 9-13 commission members.

In necessary cases the staffs of electoral commissions can be changed by the organs which form these commissions.

The electoral commissions shall be formed by the appropriate soviets of people's deputies or their presidiums (settlement and village commissions—by the ispolkoms of the settlement and village soviets) not later than the seventh day after the scheduling of the elections.

The names of the staff members of the electoral commissions shall be published for general information.

The term of office of the electoral commissions shall expire after the recognition by the appropriate soviet of the plenipotentiary powers of the elected deputies.

#### **Article 21. Plenipotentiary Powers of the Oblast, Ashkhabad City Electoral Commission**

The oblast, Ashkhabad City Electoral Commission for electing deputies to the oblast, Ashkhabad City Soviet of People's Deputies shall perform the following functions:

1) monitors the execution of the present law and ensures its uniform application during the course of preparing for and carrying out the elections of deputies to the oblast, Ashkhabad Soviet of People's Deputies; joins, in case of necessity, with the Turkmen SSR Supreme Soviet in interpreting the present law;

- 2) forms election okrugs and publishes in the press a list of election okrugs with an indication of their boundaries;
- 3) directs the activities of the okrug and district electoral commissions;
- 4) distributes monetary funds to the electoral commissions, monitors the providing of the commissions with rooms, transport, communications, and examines other matters concerned with financial and technical support for the elections;
- 5) hears reports from the okrug and district electoral commissions, the executive and administrative organs of the local soviets of people's deputies, leading officials of enterprises, institutions, and organizations, as well as those of organs of public organizations on matters connected with preparing for and conducting elections;
- 6) monitors the observance of equal conditions of participation by candidates for the office of deputy in the election campaign;
- 7) ensures the making of election ballots for the elections of deputies to the oblast, Ashkhabad City Soviet of People's Deputies in accordance with the established format;
- 8) registers the elected deputies and sums up the election results as a whole for the oblast, Ashkhabad City Soviet, publishes in the press a report on the election results and a list of the elected deputies;
- 9) transmits to the credentials commission of the oblast, Ashkhabad City Soviet of People's Deputies the documentation necessary for checking out and verifying the plenipotentiary powers of the elected deputies;
- 10) organizes the conduct of runoffs and adopts decisions concerning the conduct of repeat elections;
- 11) examines within the time periods established by the present law statements and complaints about the decisions and actions of the okrug and district electoral commissions, as well as those of the pre-election meetings, and makes decisions regarding them;
- 12) ensures the procedure for storing the election documents, as established by the Turkmen SSR Supreme Soviet Presidium;
- 13) exercises other powers in accordance with the present law.

#### **Article 22. Plenipotentiary Powers of the Rayon, City, Municipal-District, Settlement, and Village Electoral Commissions**

The rayon, city, municipal-district, settlement, and village electoral commission shall perform the following functions:

1) monitors the execution of the present law and ensures its uniform application during the course of preparing for and conducting the elections of deputies to the

- appropriate local soviet; in case of necessity, joins the Turkmen SSR in interpreting the present law;
- 2) forms election okrugs for elections to the appropriate local soviet, publishes in the press a list of the election okrugs with an indication of their boundaries;
- 3) monitors the correctness in forming election districts;
- 4) directs the activities of the district-level electoral commissions;
- 5) distributes monetary funds to the district-level electoral commissions, monitors their support with regard to rooms, transport, and communications, and examines other matters involving the financial and technical support of the elections.
- 6) hears reports from district-level election commissions, executive and administrative organs of the appropriate local soviets of people's deputies, leading officials of enterprises, institutions, and organizations, as well as the organs of public organizations with regard to matters connected with preparing for and conducting elections;
- 7) monitors the drawing up of lists of voters and their presentation for universal familiarization;
- 8) decides questions provided for by the present law and connected with organizing the nomination of candidates for the office of deputy; ensures equal conditions of participation by candidates for the office of deputy in the election campaign;
- 9) in case of necessity, convokes and organizes the conduct of okrug-level, pre-election meetings;
- 10) registers the nominated candidates for the office of deputy, issues them the appropriate certificates, publishes a report about the composition of the registered candidates for the office of deputy to the appropriate local soviet, and provides for the familiarization of voters with the biographical data of candidates for the office of deputy;
- 11) in the case provided for by Article 13 of the present law, abrogates its own decision regarding the registration of a candidate for the office of deputy;
- 12) registers agents of the candidates and issues them certificates;
- 13) organizes, in conjunction with the collectives and public organizations, meetings between the candidates and the voters at the labor collectives as well as at places of residence; keeps track of suggestions made in connection with the instructions from voters;
- 14) approves for each election okrug the text of the election ballot and the sheet containing the names of those voters who think that they will be absent on Election Day, ensures the making of ballots for those on the list and supplying them to the district-level electoral commissions.
- 15) publishes in the press the election results for the election okrugs, registers the elected deputies, and issues them certificates;
- 16) sums up the results of the elections as a whole for the appropriate local soviet, publishes in the press a report on the election results and a list of the elected deputies;
- 17) transmits to the credentials commission of the appropriate Turkmen SSR local soviet of people's deputies the documentation necessary to check out and verify the plenipotentiary powers of the elected deputies;
- 18) makes decisions regarding and organizes the conduct of runoffs and repeat elections;
- 19) examines within the time period established by the present law the statements and complaints on the decisions and actions of the district-level election commissions of the okrug-level pre-election meetings, and adopts decisions on them;
- 20) ensures the procedure for storing the election documents, as established by the Turkmen SSR Supreme Soviet Presidium;
- 21) exercises other powers in accordance with the present law.

**Article 23. Formation of Okrug-Level Electoral Commissions**

An okrug-level electoral commission for elections to the onlast, Ashkhabad City Soviet of People's Deputies shall be formed in each election okrug not later than two months prior to the elections and shall comprise 9-11 members. In case of necessity, the composition of the commission can be changed by the organ forming this commission.

Okrug-level electoral commissions shall be formed by the oblast, Ashkhabad City Soviet of People's Deputies or by its presidium.

The composition of okrug-level electoral commissions shall be published for general information.

The term of office of the okrug-level commission shall expire after the recognition by the appropriate soviet of the powers of the elected deputy.

**Article 24. Powers of an Okrug-Level Electoral Commission**

The okrug-level electoral commission for elections to the oblast, Ashkhabad City Soviet of People's Deputies on the territory of its own election okrug shall:

- 1) monitor the execution of the present law;
- 2) monitor the correctness of forming election districts, direct the activities of the district-level electoral commissions;
- 3) monitor the drawing up of lists of voters and their presentation for universal familiarization;

- 4) decide questions connected with organizing the nomination of candidates for the office of deputy; ensure equal conditions for candidates for the office of deputy to participate in the election campaign;
- 5) in case of necessity, convocate and conduct okrug-level pre-election campaigns;
- 6) register the candidates nominated for the office of deputy and issue them the appropriate certificates; publish information about the registered candidates for the office of deputy; ensure that voters become familiar with the biographical data concerning the candidates for the office of deputy;
- 7) in the case provided for by Article 13 of the present law, abrogate its own decision regarding the registration of a candidate for the office of deputy;
- 8) register the agents of candidates for the office of deputy and issue them certificates;
- 9) organize jointly with the labor collectives and public organizations meetings between the candidates and the voters either in the labor collectives or at their places of residence; keep track of the proposals made with regard to the instructions from voters;
- 10) approve for the election okrug the text of the election ballot and the sheet containing the names of those voters who think that they will be absent on Election Day; supply the district-level electoral commissions with election ballots and the above-indicated sheets;
- 11) establish and publish in the press the election results for the election okrug; issue a certificate to the elected deputy;
- 12) reach a decision and conduct runoffs and organize the conduct of repeat elections or election of a deputy to replace one who has withdrawn or been removed;
- 13) examine within the time period established by the present law statements and complaints concerning the decisions and actions of district-level election commissions and make decisions regarding them;
- 14) exercise other powers in accordance with the present law.

#### **Article 25. Formation of District-Level Electoral Commissions**

A district-level electoral commission shall be formed not later than 45 days prior to the elections and shall have 5-15 members. In case of necessity, the composition of a district-level electoral commission can be increased by the organ forming this commission.

District-level electoral commissions shall be formed by rayon, city (except for cities under rayon jurisdiction), and municipal-district soviets of people's deputies or their presidiums.

The term of office of district-level electoral commissions shall expire after the recognition by the appropriate local soviet of the powers of the elected deputies.

#### **Article 26. Powers of a District-Level Electoral Commission**

A district-level electoral commission shall be empowered to:

- 1) draw up lists of voters by district;
- 2) conduct familiarization of voters with the list of voters, receive and examine statements concerning inaccuracies in the list and decide the question of appropriate changes to be made in it;
- 3) inform the public as to Election Day and the polling place;
- 4) ensure the preparation of rooms for voting and ballot boxes;
- 5) organize the voting on Election Day in the election district, as well as on the day of runoffs and repeat elections;
- 6) accept from voters who intend to be absent on Election Day sheets containing the opinions of such voters at their places of residence;
- 7) produce a tally of the votes cast in the election district;
- 8) establish the election results by election okrugs, for elections to the rayon, city, municipal-district, settlement, and village Soviet of People's Deputies;
- 9) examine within the time periods established by the present law statements and complaints regarding the preparations for elections and the organization of voting, and make decisions regarding them;

#### **Article 27. Organizing the Work of Electoral Commissions**

The chairman, deputy chairman, and secretary of an electoral commission shall be elected at the first session of the appropriate commission, and its decision on this matter shall be published in the press.

Sessions of an electoral commission shall be legally empowered if they are participated in by at least two-thirds of the commission's membership. The commission's decisions shall be adopted by open voting by a majority of the votes of the membership of the commission. Commission members who do not agree with its decision shall have the right to state a special opinion, which shall be appended to the minutes in a written form.

The decisions taken by electoral commissions, adopted within the limits of their powers, shall be mandatory for execution by all state and public organs, enterprises, institutions, and organizations.

Decisions and actions of an electoral commission can be appealed to a higher-ranking electoral commission and, in cases provided for by the present law, to a court as well.

Upon the decision of an electoral commission, one of its members can be freed up, during the period of preparing for and conducting the elections, from his production or service duties with the retention of his average wages by means of funds set aside for conducting elections in accordance with the following terms: for a member of an oblast, rayon, city, municipal-district, settlement, or village electoral commission—up to two months; for a member of a district-level electoral commission—up to one month.

The chairman, deputy chairman, secretary, or member of an electoral commission can be released from his duties on the commission at the initiative of the commission itself, upon a presentation of the labor collective which nominated him, or the organ of a public organization, meeting of voters at their place of residence, or military service personnel, organ of public amateur activity, as well as on the basis and following the procedure, established in Article 34 of the present law.

Nomination of a new chairman or membership on an electoral commission, as well as the election of a new chairman, deputy chairman, or secretary to the commission, shall be conducted in accordance with the procedure established by the present law.

#### **Article 28. Assisting Electoral Commissions in the Exercise of Their Powers**

State and public organs, enterprises, institutions, and officials shall be obligated to assist the electoral commissions in their exercise of their powers, to grant the information and materials which are necessary for their work.

Electoral commissions shall have the right to appeal with regard to problems connected with preparing for and conducting elections to state and public organs, to enterprises, institutions, organizations, and officials, who shall be obligated to examine the matter at hand and provide the electoral commission with a reply not later than within a three-day period.

#### **V. Lists of Voters**

##### **Article 29. List of Voters and Procedure for Drawing It Up**

A list of voters shall be drawn up for each election district and shall be signed by the chairman and secretary of the district-level electoral commission. The district-level electoral commission can involve representatives of the public in participating in the work of drawing up the list.

The ispolkoms of the city, municipal-district, settlement, and village soviets and people's deputies shall provide a count of the voters and shall transmit to the district-level

electoral commissions information concerning voters residing on the appropriate territory, as necessary for drawing up the lists of voters.

Lists of voters who are military service personnel stationed in military units, as well as family members of military service personnel and other voters, if they are residing in regions where military units are stationed, shall be drawn up on the basis of data submitted by the commanders of such military units. Military service personnel who reside outside the military units shall be included on the lists of voters according to their places of residence on general principles.

The last names of voters shall be indicated on the list of voters in a procedure which is suitably convenient for organizing the voting.

#### **Article 30. Procedure for Including Citizens in the List of Voters**

The list of voters shall include all citizens of the Turkmen SSR who have reached the age of 18, who reside at the time when the list is being drawn up on the territory of the given election district, and who have the right to participate in the voting.

A voter may be included on the list of voters in only one election district.

#### **Article 31. Familiarizing Citizens with the Lists of Voters and the Right to Appeal Concerning Inaccuracies in a List of Voters**

Lists of voters shall be presented for general familiarization 15 days prior to the elections.

Citizens shall be accorded the opportunity to familiarize themselves with the list of voters and verify its accuracy in the room of the district-level electoral commission.

Each citizen shall be accorded the right to complain about non-inclusion, an incorrect inclusion in the list, or an exclusion from the list, as well as about allowing inaccuracies in the list with regard to allowing inaccurate data to be listed about a voter. A statement concerning a mistake in the list shall be examined by the district-level electoral commission, which shall be obligated not later than within a two-day period, and on the eve of or during Election Day—immediately to examine the statement, to make the necessary corrections in the list or to issue to the person making the statement a copy of the well-founded decision to reject his statement. This decision may be appealed not later than five days prior to the elections to a rayon (city) people's court, which is obligated to examine the complaint within a three-day time period. The decision of the rayon (municipal) people's court shall be final. A correction in the list of voters in accordance with the court's decision shall be carried out immediately by the district-level electoral commission.

**VI. Nomination and Registration of Candidates for the Office of Deputy to Turkmen SSR Local Soviets of People's Deputies**

**Article 32. Procedure for Nominating Candidates for the Office of Deputy to Turkmen SSR Local Soviets of People's Deputies**

Candidates for the office of deputy to local soviets shall be nominated according to election okrugs, and in those cases where elections to settlement and village soviets are conducted according to a common list—for a soviet as a whole. Nomination of candidates for the office of deputy shall begin two months prior and shall end 35 days prior to the elections.

Nomination of candidates to the office of deputy shall be performed by the following:

1) labor collectives, collectives of educational institutions numbering at least 50 persons and situated on the territory of the appropriate election okrug or soviet at general meetings (conferences, meetings of fully empowered kolkhozes), convoked by trade-union committees or by councils of labor collectives. Labor collectives having less than 50 employees can conduct joint meetings (conferences). In large collectives meetings to nominate candidates for the office of deputy can be conducted by shops, sections, shifts, divisions, brigades, and other sub-divisions of enterprises, institutions, organizations, and farms on condition that they have at least 50 persons employed there. A meeting shall be deemed fully empowered if it is attended by more than half of the total number of the collective's members, whereas in the case of a conference or a meeting of fully empowered kolkhoz officials—when at least two-thirds of the delegates are present;

2) by public organizations at sessions of their oblast, rayon, city, or municipal-district supervisory organs (conferences, plenums, soviets), nominating candidates respectively to oblast, rayon, city, or municipal-district soviets of people's deputies. The organs of public organizations at the appropriate level shall have the right to conduct joint sessions for the purpose of nominating candidates for the office of deputy. The primary units of public organizations, when holding elections to municipal under rayon jurisdiction, settlement, and village soviets of people's deputies, shall participate in nominating candidates for the office of deputy jointly with their own collectives;

3) by meetings of voters at their places of residence, which are convoked by rayon, city, municipal-district, settlement, village, as well as okrug-level electoral commissions in conjunction with the appropriate soviets of people's deputies or their presidiums, either at their initiative or at the initiative or at the initiative of organs of public amateur activity, as supported by at least 25 voters from the okrug involved. A meeting shall be deemed legally empowered if it is attended by at least 50 voters residing on this okrug's territory;

4) by meetings of military service personnel at their military units, to be convoked by the commanders of the military units involved. When it is impossible to conduct a general meeting of a unit's military personnel, it shall be conducted by sub-divisions.

Meetings (conferences) of collectives and sessions of the organs of public organizations can discuss and nominate an unlimited number of candidates. Each participant in the meeting or session shall have the right to introduce proposals concerning the candidates for the office of deputy, to take part in the discussions concerning them, to support or reject them, or to propose his own candidacy for discussion as a candidate for the office of deputy. The decision on nominating candidates for the office of deputy shall be taken openly or by secret balloting. The voting procedure shall be established by the meeting or session in question.

A candidate shall be deemed nominated if he has received the votes of more than half the participants in the meeting or half of the total membership of the organ of the public organization concerned. A document shall be drawn up regarding the nomination of candidates for the office of deputy for the appropriate okrug; it shall be submitted within a two-day time frame, but not later than the next day after the deadline for ending the nominations, respectively to the oblast, Ashkhabad City Soviet, or to the rayon, city, municipal-district, settlement, or village electoral commission. The decision adopted shall be communicated within this same time frame to candidates for the office of deputy.

A candidate who has been nominated for the office of deputy shall announce in writing his consent to be on the ballot of the given election okrug, and—in the case of elections to a general [illegible word]—to the settlement or village soviet involved, to the appropriate electoral commission before the day on which such a commission registers its candidates for the office of deputy or conducts an okrug-level, pre-election meeting. The electoral commission shall inform the candidate well ahead of time concerning the date of registration.

Citizens working or residing on the territory of the appropriate soviet shall be nominated as candidates for the office of deputy to Turkmen SSR local soviets of people's deputies.

A citizen of the Turkmen SSR cannot be simultaneously a deputy in more than two soviets of people's deputies.

Persons enumerated in Article 11 of the present law, when and if nominated as candidates for the office of deputy, shall indicate in their statements either their intention to resign from the position they occupy in case they are elected as deputies, or they shall announce that they are withdrawing their candidacies. Persons who are already deputies in two soviets shall indicate in their statements their intention to give up their official powers in one of the soviets in case they are elected as deputies to a third soviet.

### Article 33. Okrug-Level Pre-Election Meeting

An okrug-level, pre-election meeting can be conducted in order to discuss the candidates nominated for the office of deputy to Turkmen SSR local soviets of people's deputies and to adopt decisions regarding the presentation of candidates for registration to the appropriate electoral commission. The meeting shall be convoked by the electoral commission which has organized the nomination of candidates for the office of deputy and shall be conducted with its participation after the deadline has passed for closing the nomination of candidates for the office of deputy. If for a single-seat election okrug no more than three candidates for the office of deputy have been nominated, and for a multi-seat election okrug all the candidates have been nominated by a single collective or at a single meeting (conference), then the okrug-level, pre-election meeting shall not be conducted. The decision on convoking the meeting shall be promulgated not later than three days prior to when it is to be conducted.

The participants in an okrug-level, pre-election meeting shall be delegated by labor collectives or their councils, collectives of educational institutions, organs of public organizations, meetings of voters at their places of residence, military service personnel at their military units, nominating candidates in accordance with the norms established by the electoral commission; moreover, the number of representatives for each candidate for the office of deputy must be equal. At least half, but no more than two-thirds, of the participants in the meeting shall be delegated by the labor collectives or their councils, by collectives of educational institutions, organs of public organizations, meetings of voters at their places of residence, and military service personnel at their military units, who have not taken part in nominating candidates for the office of deputy according to the equal norms established by the electoral commission.

The decision regarding the nomination of representatives delegated to attend the okrug-level, pre-election meeting and the list of them shall be transmitted to the electoral commission which has organized the nomination of candidates for the office of deputy not later than two days before the meeting is to be conducted. Participants in the okrug-level, pre-election meeting shall be informed well ahead of time concerning the place where it is to be held and shall be presented with a list of all the candidates for the office of deputy from the okrug in question and the basic information about them.

At the meeting candidates for the office of deputy shall be accorded the opportunity to speak about the program of their future activity. Any participant in the meeting shall have the right to discuss the candidates for the office of deputy and to make their own suggestions regarding them. All candidates for the office of deputy shall be subject to discussion.

When the elections are in a single-seat election okrug, any number of candidates for the office of deputy may be

presented for registration, but in a multi-seat election okrug the number of candidates must exceed the number of deputies' seats. The decision shall be taken by secret or open voting. The voting procedure shall be established by the meeting. A decision shall be deemed to be taken if it is voted for by more than half of the participants in the meeting and taking part in the voting, and on condition that, at the time that the vote is taken, the meeting is legally empowered. The results of the discussions on the candidates for the office of deputy shall be reflected in the minutes of the meeting.

A decision of the meeting may be appealed to the oblast, rayon, city, municipal-district, settlement, or village okrug-level electoral commission within a three-day time period.

### Article 34. Registration of Candidates for the Office of Deputy to Turkmen SSR Local Soviets of People's Deputies

Candidates for the office of deputy to the oblast, Ashkhabad City Soviet of People's Deputies shall be registered by okrug-level electoral commissions.

Candidates for the office of deputy to rayon, city, municipal-district, settlement, or village soviets of people's deputies shall be registered by the appropriate rayon, city, municipal-district, settlement, or village electoral commission.

Registration of candidates for the office of deputy to local soviets shall be carried out upon the submission by the labor collectives, collectives of educational institutions, appropriate organs of public organizations, meetings of voters at their places of residence, military service personnel at their military units, who have nominated candidates, as well as the okrug-level, pre-election meeting, if it were conducted.

Registration of candidates shall begin 35 days prior and shall end 25 days prior to Election Day.

The decision on registering candidates for the office of deputy shall be taken in the presence and with the availability of the following documents: minutes of the meetings or sessions concerned with nominating candidates for the office of deputy and the minutes of the okrug-level, pre-election meeting if it were held, as well as the statements of the candidates for the office of deputy regarding their agreement to be on the ballot for the given election okrug, and, in the case of elections to a settlement of village soviet with a common list—concerning his agreement to be on the ballot for the soviet concerned.

The rayon, city, municipal-district, settlement, village, or okrug-level electoral commission shall draw up a document regarding the registration of candidates for the office of deputy. The electoral commission shall be obliged to register all candidates for the office of deputy who have been nominated with the observance of the requirements of the present law. A refusal to register can

be appealed within a three-day time period to a higher-ranking soviet of people's deputies or its presidium.

A candidate for the office of deputy can be registered in only one election okrug. A certificate shall be issued to each registered candidate.

A candidate for the office of deputy cannot be a member of an oblast, rayon, city, municipal-district, settlement, or village electoral commission, okrug or district electoral commission of the election okrug where he has been nominated as a candidate. A person who has been nominated as a candidate for the office of deputy and who is a member of one of the above-mentioned commissions shall be deemed released from his duties on the commission from the moment that he is registered as a candidate for the office of deputy.

The appropriate electoral commission not later than the fourth day after the registration of candidates for the office of deputy shall publish in the press a report on the registration with an indication of the last name, first name, patronymic, year of birth, position held (occupation), places of employment and residence of each candidate for the office of deputy.

**Article 35. Abrogating Decision on Nomination of Candidates for the Office of Deputy to Turkmen SSR Local Soviets of People's Deputies. Withdrawal of his Own Candidacy by a Candidate**

A labor collective, collective of an educational institution, the appropriate organ of a public organization, a meeting of voters at their places of residence, and military service personnel at their military units who have nominated candidates for the office of deputy to a local soviet shall have the right at any time prior to the elections to abrogate their own decision concerning the nomination of a candidate for the office of deputy. The decision on this matter shall be taken in accordance with the procedure provided for with regard to nominating candidates for the office of deputy and shall be submitted appropriately to the rayon, city, municipal-district, settlement, or village electoral commission, okrug-level electoral commission for elections to the oblast, Ashkhabad City Soviet.

A candidate for the office of deputy may, at any time prior to the elections, withdraw his own candidacy by addressing a written statement concerning this matter to the electoral commission which registered him as a candidate for the office of deputy.

The electoral commission shall inform the voters of the okrug involved concerning the abrogation of a decision concerning the nomination of a candidate for the office of deputy or about his withdrawal of his own candidacy.

**Article 36. Procedure for Nominating Candidates for the Office of Deputy to Turkmen SSR Local Soviets of People's Deputies in Order to Replace Those Who Have Withdrawn or Have Been Removed**

In the event that candidates for the office of deputy to local soviets withdraw or are removed after the end of the time period for registering candidates for the office of deputy, if there are no other candidates remaining in the election okrug, and in a multi-seat election okrug there remains an equal or less number of candidates than there are deputies' seats, the rayon, city, municipal-district, settlement, village, or okrug-level electoral commission shall address to the labor collectives, collectives of educational institutions, the appropriate organs of public organizations, meetings of voters at their places of residence, and military service personnel at their military units a proposal to nominate new candidates for the office of deputy. When candidates for the office of deputy withdraw or are removed less than 20 days prior to the elections, the election of a deputy from that particular election okrug shall be conducted within a two-month time period after the general elections.

Nomination of candidates for the office of deputy to replace those who have withdrawn or been removed shall be conducted in accordance with the procedure established by the present law.

**Article 37. The Election Ballot**

The election ballot shall include in alphabetical order all the registered candidates for the office of deputy to local soviets with an indication of the last name, first name, patronymic, position held (occupation), places of employment and residence of each candidate for the office of deputy. Election ballots shall be made bearing the languages which are used by the population of the election okrug involved.

**VII. Guarantees of the Activity of Candidates for the Office of Deputy to Turkmen SSR Local Soviets of People's Deputies**

**Article 38. The Right of a Candidate for the Office of Deputy to Turkmen SSR Local Soviets to Speak at Meetings, to Use the Mass Media, and to Obtain Information**

From the time that they are registered by the electoral commissions, candidates for the office of deputy to local soviets shall have equal rights to speak at pre-election and other meetings, conferences, in the press, on television, and the radio.

State and public organs, the leading officials of enterprises, institutions, organizations, and collectives of educational institutions, and organs of public amateur activity shall be obligated to render assistance to candidates for the office of deputy in organizing meetings with voters, as well as in obtaining the necessary reference and informational materials.

The use by candidate for the office of deputy of their own service positions for conducting a pre-election campaign shall not be permitted.

**Article 39. Pre-Election Program of a Candidate for the Office of Deputy to a Turkmen SSR Local Soviet of People's Deputies**

A candidate for the office of deputy to a local soviet can speak concerning the program of his future activity. The program of a candidate for the office of deputy must not contradict the USSR Constitution, the Turkmen SSR Constitution, other laws of the USSR and the Turkmen SSR.

**Article 40. Agents for Deputies to a Turkmen SSR Local Soviet of People's Deputies**

A candidate for the office of deputy can have as many as three agents who shall help him in conducting his election campaign, carry on propaganda for his election to the office of deputy, present his interests in interrelationships with state and public organs, voters, members of public organizations, as well as on electoral commissions.

A candidate for the office of deputy, after his registration, shall specify agents of his own choosing and shall provide information about them to the rayon, city, municipal-district, settlement, village, or okrug-level electoral commission. After the agents have been registered, the electoral commission shall issue them certificates. A candidate for the office of deputy shall have the right to replace agents at any time prior to the elections.

An agent cannot be a member of the electoral commissions involved. The powers of agents shall expire after the recognition of the powers of the elected deputy.

**Article 41. Pre-Election Campaigning**

Labor collectives, collectives of educational institutions, public organizations, voters at their places of residence, and military service personnel at their military units which have nominated candidates for the office of deputy shall be accorded the right of unrestricted campaigning for their candidates after they have been nominated. The appropriate soviets of people's deputies or their ispolkoms shall offer them equipped rooms for assemblies and meetings, as well as mass media for conducting pre-election campaigning.

All citizens, labor collectives, collectives of educational institutions, and public organizations shall be guaranteed the opportunity of free and universal discussion of the political, business-like, and personal qualities of candidates for the office of deputy, as well as the right to campaign for or against a candidate at meetings, in the press, or on television and radio.

Candidates for the office of deputy to local soviets shall conduct meetings with their voters at meetings and in other forms convenient for the voters. Meetings of voters shall be organized by the electoral commission jointly with the appropriate soviet of people's deputies or its presidium, or by the organs of public organizations.

Voters shall be informed well ahead of time concerning the time and place of the assemblies and meetings.

Campaigning shall not be permitted on Election Day.

**Article 42. Releasing a Candidate for the Office of Deputy to Turkmen SSR Local Soviets of People's Deputies from Production or Service Duties for Participation in Pre-Election Measures**

A candidate for the office of deputy to a local soviet after registration shall be released for the time needed to conduct meetings with voters, speak at pre-election assemblies and meetings, as well as on television and radio, from performing his production or service duties, with retention of his average wages by means of funds set aside for conducting elections.

**Article 43. The Right of a Candidate for the Office of Deputy to a Turkmen SSR Local Soviet of People's Deputies to Free Travel**

A candidate for the office of deputy to a rayon, city, municipal-district, settlement, or village soviet after registration shall have the right of free travel on all types of passenger transport (except for taxis) within the boundaries of the particular oblast, rayon, city, settlement, or village soviet involved.

**Article 44. Inviolability of a Candidate for the Office of Deputy to a Turkmen SSR Local Soviet of People's Deputies**

A candidate for the office of deputy to a local soviet cannot be held criminally liable, arrested, or subjected to measures of administrative penalties to be imposed in a court procedure without the consent of the appropriate oblast, rayon, city, municipal-district, settlement, or village electoral commission.

**VIII. Procedure for Voting and Summing Up Election Results****Article 45. Time and Place of Voting**

Voting shall be conducted on Election Day from 0700 hours to 2000 hours local time. The district-level electoral commission shall inform voters about the time and place of voting not later than 10 days prior to the elections.

At election districts in military units, or in remote and difficult-to-reach regions the district-level electoral commission can declare the voting to be finished at any time, provided that all the voters included on the list have cast their ballots.

**Article 46. Organization of Voting**

Voting shall be conducted in rooms specially set aside for this purpose; they must be equipped with a sufficient number of booths or rooms for secret voting; there must be specific places for handing out the election ballots and for setting up the ballot boxes. The ballot boxes shall be

set up in such a way that, when the voters approach them, they must pass through the booths or rooms for secret voting.

The responsibility for organizing the voting, ensuring the secrecy of the voters' expression of their wishes, the equipment in the rooms, and maintaining the necessary order within these rooms shall be borne by the district-level electoral commission.

On Election Day, before the voting begins, the ballot boxes shall be checked and sealed with lead or wax by the chairman of the district-level electoral commission in the presence of all the commission members.

Each voter shall vote in person; voting on behalf of other person shall not be permitted. Election ballots shall be handed out by the district-level electoral commission on the basis of the voters' list of the election district upon presentation of a passport or other proof of identity. A mark shall be made in the voters' list concerning the handing out of election ballots.

In the event that certain voters, whether because the state of their health or other reasons, cannot come to the rooms set aside for voting, the district-level electoral commission, upon their request, shall assign certain commission members the task of organizing voting at a place where these voters can come.

#### **Article 47. Conduct of Voting**

The election ballots shall be filled out by voters in the booth or room set aside for the purpose of secret voting. While the ballot is being filled out, the presence of anyone else but the person voting shall be prohibited. But a voter who is incapable of filling out the ballot on his own shall have the right to invite another person of his own choosing into the booth or room; it may be anyone except a member of the electoral commission, a representative of a labor collective or a public organization, or an agent of a candidate for the office of deputy.

In elections of people's deputies to local soviets the voter shall cross out on the ballot the last names of those candidates against whom he is voting.

Voters shall drop the filled-out ballots into the ballot box.

#### **Article 48. Voting Procedure for Absentee Voters**

A voter who cannot be at his place of residence on Election Day (because of a business trip, leave, stay at a sanatorium, rest home, medical-treatment institution, or other analogous reasons) shall have the right to transmit to the district-level electoral commission ahead of time the expression of his own wish with regard to candidates on the ballot for the office of deputy.

Some 20 days prior to the elections a voter may obtain at the election district a sheet on which he may express his choice as an absentee voter, or he may obtain an election ballot, if such ballots shall have already been printed up

and are available at the election district. The sheet on which the voter is to express his choice or the election ballot shall be handed out to the voter on the basis of the voters' list and upon presentation of a passport or other proof of identity; a mark shall be made regarding this on the voters' list along with an indication of the date. During the period prior to posting the voters' list for general familiarization the marks concerning the handing out of the above-indicated sheets shall be made in a special journal bound by a string.

Under conditions whereby there is no monitoring or constraint on the expression of his wishes, the voter shall cross out on the sheet or ballot the last names of those candidates against whom he is voting. The filled-out sheet or ballot shall be dropped into the ballot box set up for absentee voters. Such a box shall be sealed well ahead of time in the presence of all members of the district-level electoral commission. On Election Day before the voting begins, all the unused blank sheets for the absentee voters to express their choices shall be counted and canceled by the district-level electoral commission.

#### **Article 49. Tallying the Votes in an Election District**

Tallying the votes in an election district shall be done separately for each election okrug for elections to the appropriate local soviet of people's deputies and for each candidate for the office of deputy.

The ballot boxes, including those for voting by absent voters, shall be opened by the district-level electoral commission after the commission chairman has declared that the voted has been finished. Opening up the ballot boxes prior to the end of voting shall be prohibited. Before the ballot boxes are opened, all the unused election ballots shall be counted and canceled by the district-level electoral commission.

In accordance with the voters' lists, the district-level electoral commission shall establish the total number of voters in the district for each election okrug, as well as the number of voters who have obtained ballots and sheets for absentee voting. Based on the ballots and the above-indicated sheets found in the ballot boxes, the commission shall establish the total number of voters who have taking part in the balloting, the number of votes cast for and against each candidate for the office of deputy, as well as the number of ballots and sheets which have been deemed invalid. Votes shall not be counted for the last names of citizens written in by voters on their ballots. Nor shall the votes be counted in the tally from ballots or sheets from absentee voters who have cast their votes for a candidate for the office of deputy who has withdrawn or been removed.

If the election ballot or sheet for absentee voting for a single-seat election okrug leaves more than one candidate and, in voting for a multi-seat election okrug, the number of candidates exceeds the number of the deputies' seats, they shall be deemed invalid.

Also to be deemed invalid are election ballots and sheets which are non-standard in their format. In case of doubt concerning the validity of an election ballot or sheet, the problem shall be resolved by the district-level electoral commission by means of a vote.

The results of the vote tally shall be examined at a session of the district-level electoral commission and shall be recorded in the appropriate documents to be drawn up separately for each election okrug; they shall be signed by the chairman, deputy chairman, secretary, and members of the district-level commission, and shall be immediately forwarded to the rayon, city, municipal-district, settlement, and village election commissions, or to the okrug-level electoral commission for elections to the oblast, Ashkhabad City Soviet. Appended to this document shall be any existing special opinions from commission members, statements and complaints received by the commission concerning violations allowed during the course of the voting or during the vote tally.

#### **Article 50. Establishing Election Results for an Election Okrug**

When elections are held to the oblast, Ashkhabad City Soviet of People's Deputies, the election results for an election okrug shall be established at a session of the okrug-level electoral commission. Based on the documents of the district-level electoral commissions regarding the results of voting by districts situated within the boundaries of the appropriate election okrug, the okrug-level electoral commission shall determine the following: the total number of voters for the okrug, the number of voters who obtained absentee election ballots or sheets, the number of votes cast for and against each candidate for the office of deputy, and the number of ballots and sheets deemed invalid.

When elections are held to a rayon, city, municipal-district, settlement, or village soviet of people's deputies whose election okrugs as to territory are less than the election district and are included within it, the election results for the election okrugs shall be established by the district-level electoral commission at its session. Based on the results of the vote tally, it shall draw up a document concerning the election results for each election okrug for elections to the appropriate soviet of people's deputies.

When the elections are for a common list of candidates for the office of deputy to a settlement or village soviet, when the territory of the given soviet is one, multi-seat okrug which includes one or more election districts, the election results shall be determined by the settlement or village electoral commission on the basis of documents presented by the district-level electoral commissions.

That candidate for the office of deputy shall be deemed elected who has received in the elections more than half the votes of the voters who took part in the balloting. If, as a result of the voting with regard to a multi-seat election okrug or with regard to a common list of

candidates for the office of deputy to a settlement or a village soviet, the necessary majority of votes is received by more candidates than there are deputies' seats, then those shall be deemed elected who garnered more votes than the others.

The okrug-level electoral commission for elections to the okrug, Ashkhabad City Soviet of People's Deputies can deem elections for an election okrug as invalid due to violations of the present law which have been allowed to occur during the course of the elections or in the vote tally.

The okrug-level electoral commission for elections to the oblast, Ashkhabad City Soviet of People's Deputies can deem elections null and void if less than half of the voters included on the voters' lists took part in them, as well as in connection with the death of a candidate for the office of deputy, if only the one candidate was registered for a single-seat election okrug, and a district-level election commission can deem elections as null ad void for these reasons in certain okrugs with regard to elections to a rayon, city, municipal-district, or village soviet of people's deputies.

A report on the results of elections to election okrugs shall be published by the appropriate okrug, rayon, city, municipal-district, settlement, or village electoral commission not later than the fifth day after the elections. The report shall indicate the following: the number of voters who took part in the voting; the number of votes cast for and against each candidate; the number of invalid ballots and sheets; and the last name, first name, patronymic, position held (occupation), party status, places of employment and residence of the elected candidate.

#### **IX. Procedure for Summing Up and Publishing the Results of Elections of Deputies to Turkmen SSR Local Soviets of People's Deputies**

##### **Article 51. Registering Deputies to Turkmen SSR Local Soviets of People's Deputies**

Based on documents concerning the election results, the oblast, rayon, city, municipal-district, settlement, or village electoral commission shall sum up the election results for the appropriate soviet, and shall conduct the registration of deputies elected for each election okrug.

An oblast, rayon, city, municipal-district, settlement, or village electoral commission can refuse to register a deputy and can deem elections for an election okrug or to a settlement or village soviet, in case of voting by a common list, invalid, if during the course of the elections or during the vote tally, or in determining the election results, violations of the present law took place.

##### **Article 52. Publishing the Results of the Elections of Deputies to Turkmen SSR Local Soviets of People's Deputies**

A report on the election results as a whole for a local soviet and a list of the elected deputies in alphabetical

order, with an indication of the last name, first name, patronymic, position held (occupation), party spirit, places of employment and residence of the deputy, and the name of the election okrug from which he was elected as a deputy shall be published by the appropriate oblast, rayon, city, municipal-district, settlement, or village electoral commission not later than within a 10-day time period after the elections.

#### **Article 53. Certificate and Chest Badge of a Deputy to a Turkmen SSR Local Soviet of People's Deputies**

An oblast, rayon, city, municipal-district, settlement, or village electoral commission, after publishing the list of registered deputies, or, in the case of runoffs, repeat elections, and elections to replace a deputy who has withdrawn or been removed—after publication of a report on the election results for the election okrug, shall issue to each elected deputy a certificate concerning his election.

After the approval by the local soviet of people's deputies of the plenipotentiary powers of the elected deputies, the certificate of election issued to the deputies shall be replaced by a deputy's certificate.

The deputy shall also be issued a chest badge of the appropriate local soviet.

#### **X. Runoffs, Repeat Elections, and Elections of Deputies to Turkmen SSR Local Soviets of People's Deputies To Replace Deputies Who Have Withdrawn or Have Been Removed. Conducting Elections to Local Soviets of People's Deputies in Newly Formed Administrative-Territorial Units**

##### **Article 54. Runoffs**

If, for a single-seat election okrug, ballots were cast for three or more candidates for the office of deputy to a Turkmen SSR local soviet of people's deputies, and no one of them were elected, the rayon, city, municipal-district, settlement, village electoral commission, the okrug commission on elections to the oblast, Ashkhabad City Soviet shall take the decision and inform the voters concerning a runoff between the two candidates for the office of deputy who received the greatest number of votes.

When the elections are for a multi-seat election okrug or from a common list of candidates for the office of deputy to a settlement or village soviet, in case of an equal number of votes cast for certain candidates, and there is no chance to determine the elected deputies, a runoff shall be conducted between the given candidates for the office of deputy.

A runoff shall be conducted not later than two weeks following the general elections, and the requirements of the present law shall be observed.

That candidate for the office of deputy to a local soviet shall be deemed elected who has received during the runoff for a single-seat as well as for a multi-seat election

okrug the greatest number of votes from voters taking part in the balloting, as compared to the other candidates for the office of deputy.

In the event that one of the candidates withdraws or is removed for various reasons from an election for a single-seat election okrug, a runoff shall be conducted for the one remaining candidate for the office of deputy. He shall be deemed elected if he receives more than half of the votes cast by voters taking part in the balloting.

During runoffs a district-level electoral commission can declare the voting to be completed at any time, if all the voters included on the list have cast their ballots.

##### **Article 55. Repeat Elections**

If, for a single-seat election okrug, no more than two candidates were on the ballot for the office of deputy to a local soviet, and neither one of them was elected, or the elections for the election okrug were deemed null and void, or invalid, or the runoff did not allow an elected deputy to be determined, and during elections for a multi-seat election okrug, of from a common list of candidates for the office of deputy to a settlement or village soviet, as well as in the event that the number of elected deputies has turned out to be less than the number of deputies' seats, the appropriate oblast, rayon, city, municipal-district, settlement, or village electoral commission shall take the decision and shall organize the conduct of repeat elections for the vacant seats. Moreover, it may adopt a decision to conduct elections by the okrug- and district-level election commissions to form new bodies of members. Voting shall be conducted in the same election districts and using the same voters' lists which were drawn up for the general elections.

When repeat elections are to be held, those candidates who were not elected as deputies to the soviet involved during the general elections may place their names on the ballot again.

Repeat elections shall be conducted not later than within a two-month time period after the general elections. Formation of electoral commissions, registration of candidates for the office of deputy, and other measures shall be conducted in accordance with the procedure established by the present law.

That candidate for the office of deputy shall be deemed elected who receives during the repeated elections more than half of the votes cast by voters participating in the balloting.

##### **Article 56. Conduct of Elections of Deputies to Turkmen SSR Local Soviets of People's Deputies to Replace Deputies Who Have Withdrawn or Have Been Removed**

In case of a recognition by the local soviets that the powers of certain deputies are invalid, and also in connection with the recall of a deputy prior to the expiration of his powers as a deputy, or for other reasons, new elections shall be conducted in the appropriate

single-seat and multi-seat election okrugs within a three-month time frame from the time that the deputy in question withdraws or is removed.

Elections of deputies to replace those who have withdrawn or been removed shall be scheduled by the appropriate oblast, rayon, city, municipal-district, settlement, or village soviet of people's deputies, or its presidium not later than one month prior to their being conducted, and they shall be organized with due observance of the requirements outlined in the present law. Moreover, okrug-level electoral commissions for elections to the oblast, Ashkhabad City Soviet shall be formed on the third day after the scheduling of the elections, whereas for those of the district-level electoral commissions—on the fifth day. Registration of candidates for the office of deputy shall be ended 15 days prior to the elections.

Voters' lists shall be drawn up for an election district. Voting may be completed even earlier than 2000 hours if all the voters entered on the voters' list have cast their ballots.

One member of the electoral commission can be released from the performance of his production or service duties for the period of preparing for and conducting the elections for 20 calendar days, with a retention of his average wages by mens of funds set aside for conducting elections.

In the event that a deputy to a Turkmen SSR local soviet of people's deputies withdraws or is removed less than six months prior to the expiration of the soviet's term of office, the election of a people's deputy to replace him shall not been conducted.

#### **Article 57. Conducting Elections of Deputies to Local Soviets of People's Deputies in Newly Formed Administrative-Territorial Units.**

Elections of deputies to local soviets in newly formed administrative-territorial units shall be conducted in cases where the formation of a soviet of people's deputies is impossible in view of the lack or insufficient number of deputies elected to the soviet in the territory included within the newly formed oblast, rayon, city, municipal-district, settlement, or village soviet.

Elections to the oblast, rayon, city (rayons and cities under republic-level jurisdiction) soviets of people's deputies shall be scheduled by the Turkmen SSR Supreme Soviet, whereas to rayon, city (except for rayons and cities under republic-level jurisdiction), municipal-district, settlement, and village soviets of people's deputies—by the higher-ranking soviet of people's deputies not later than within a two-month time period from the day that the administrative-territorial unit and shall be conducted in accordance with the present law.

Formation of election okrugs, approval of the composition of oblast, rayon, city, municipal-district, settlement, and village electoral commissions, as well as okrug-level commissions in case of elections to the oblast soviet of

people's deputies and district-level electoral commissions shall be conducted appropriately by the Turkmen SSR Supreme Soviet or its Presidium, or by the soviet of people's deputies or its presidium which has scheduled the elections.

Voting may be concluded prior to 20000 hours if all the voters included on the voters' list have cast their ballots.

#### **XI. Forms of Election Documents. Models of Chest Badges and Ballot Boxes**

##### **Article 58. Forms of Election Documents, and Models of Chest Badges and Ballot Boxes**

Forms of voters' list, documents of the electoral commissions, the form and color of the election ballots and the sheets for absentee voters, the forms of the certificates to be issued by the appropriate electoral commission to a candidate for the office of deputy, his agents, to an elected deputy, a model of a deputy's chest badge, as well as a model of the ballot box, shall be established by the Turkmen SSR Supreme Soviet or by its Presidium.

##### **Article 59. Procedure for Storing Election Documents**

The clerical work of the electoral commissions with regard to the elections to the Turkmen SSR local soviets of people's deputies shall be transmitted by the electoral commissions upon the expiration of their terms of office to the organs formed by the appropriate commissions.

The procedure for storing election documents shall be established by the Turkmen SSR Supreme Soviet Presidium.

## **Ukrainian SSR**

#### **Ukrainian SSR Law on Elections of People's Deputies for Local Soviets**

*90UN0304A Kiev PRAVDA UKRAINY in Russian  
2 Nov 89 p 1*

[“Law of the Ukrainian Soviet Socialist Republic on Elections of Ukrainian SSR Local Soviets of People's Deputies”]

##### **[Text] I. General Statutes**

##### **Article 1. The Foundations of the Elections of Deputies to Local Soviets of People's Deputies**

In single-seat electoral okrugs, elections of Ukrainian SSR deputies to local soviets are held on the basis of a universal, equal, and direct electoral right by secret ballot.

##### **Article 2. The Universal Electoral Right**

The elections of Ukrainian SSR deputies to local soviets are universal; residents of the Ukrainian SSR who have reached the age of 18 have the right to elect and be elected. Any direct or indirect limitations of Ukrainian SSR residents' election rights dependent upon origin,

social or property status, racial or national affiliation, sex, education, attitude toward religion, length of residency in a given locality, or type or nature of occupation, is forbidden.

Mentally ill citizens who have been declared by legally incompetent by court order, individuals in detention facilities, and those sent for forced treatment by a court order do not participate in elections.

### **Article 3. The Equal Electoral Right**

The elections of deputies to local soviets are equal: The voter has one vote in the election okrug; voters participate in elections on an equal basis.

Men and women have equal electoral rights.

Military servicemen have election rights equal to those of all citizens.

### **Article 4. The Direct Electoral Right**

The elections of deputies to local soviets are direct; deputies are directly elected by the citizens.

### **Article 5. Secret Balloting**

Balloting for elections of deputies to local soviets is secret; control over the manifestation of the will of the voters is not permitted.

### **Article 6. Electoral Rights of Citizens of Other Union Republics**

Citizens of other union republics living within the territory of the Ukrainian SSR have the same electoral rights as citizens of the Ukrainian SSR.

### **Article 7. The Conduct of Elections by Election Commissions**

Conduct of elections of deputies to local soviets is organized by election commissions, which are formed of representatives of labor collectives, public organizations, collectives of professional-technical, secondary specialized and higher educational institutions, residence-based voters' meetings, and military unit servicemen's meetings.

### **Article 8. Glasnost While Preparing for and Holding Elections of Deputies to Local Soviets**

The preparation for and holding of elections of deputies to local soviets is performed by election commissions, labor collectives, and public organizations, openly and publicly.

The election commissions inform the citizens of their work, of their formation of election okrugs; the composition, location, and term of work of the election commissions; the list of voters. The election commissions inform the voters of the nominated candidates for deputy, informs them of the results of the registration of candidates for deputy, biographic data on registered

candidates, and the results of the balloting for each candidate, and the results of the elections.

Representatives of labor collectives, public organizations, collectives of professional-technical, secondary specialized and higher educational institutions, residence-based voters' meetings, servicemen in military units, organs of state power, and authorized officials have the right to be present at election commission meetings, including the registration of candidates for deputy, the sealing and opening of ballot boxes, during the voting, while tallying votes, and ascertaining election okrug results. The authority of the indicated representatives is identified by the appropriate document. The appropriate election commissions must be informed no less than two days before elections of the representatives' intention to be in attendance on election day during balloting or at the election commissions' meetings. Interference in the election commissions' work on the part of the representatives indicated is not permitted.

The mass information media cast light upon the preparations for and conduct of the elections of deputies to local soviets in the Ukrainian, Russian, and other languages used by the population; their representatives are guaranteed free access to all meetings and sessions associated with the elections. Election commissions, state and public organizations, and labor collectives present them with the information associated with preparing for and holding the elections.

### **Article 9. The Participation of Citizens, Labor Collectives, and Public Organizations in Preparing for and Holding Elections of Deputies to Local Soviets**

Ukrainian SSR citizens participate in preparing for and holding elections of deputies to local soviets both through labor collectives, public organizations, collectives of professional-technical, specialized secondary, and higher educational institutions, residence-based voters' meetings, military unit servicemen meetings, and directly as well.

Labor collectives and public organizations participate in preparing for and holding the elections of deputies to local soviets both through their election commissions and directly.

### **Article 10. The Right to Nominate Candidates for Deputies to Local Soviets**

The right to nominate candidates for deputies to local soviets belongs to the labor collectives, public organizations, collectives of professional-technical specialized secondary, and higher educational institutions, residence-based voters' meetings, and military unit servicemen's meetings.

### **Article 11. The Voters' Instructions to the Deputies to Local Soviets**

The voters issue instructions to their deputies.

The procedure for introducing, summarizing, examining, and organizing the execution of the instructions is established by the laws of the USSR and Ukrainian SSR.

#### **Article 12. The Incompatibility of Local Soviet Deputy Status with an Official Position**

Individuals in the body of the executive committees of local soviets of people's deputies, with the exception of the chairmen of these organs; leaders of department, administration, and other subdivisions of the executive committees of local soviets, judges, and state arbitrators may not be deputies to the soviet by which they are appointed or elected.

#### **Article 13. Expenditures Associated with the Election of Deputies to a Local Soviet. The Material Provisions for the Elections.**

Expenditures associated with the preparation for and conduct of the elections of deputies to local soviets are incurred by election commissions from a single centralized fund formed of oblast, rayon, city, city rayon, settlement, and village election commissions for elections of deputies to the corresponding soviets at the expense of state resources, enterprise, public and other organization resources for the purpose of providing equitable conditions for each candidate for deputy. Enterprises, institutions, and organizations, state and public organs allocate to election commissions the premises, equipment, and transportation necessary for preparing for and holding the elections.

Candidates for deputies to local soviets, their proxies, and voters will not bear expenses associated with preparing for and holding the elections.

#### **Article 14. Accountability for Violation of the Legislation on the Election of Deputies to Local Soviets**

Those individuals who hinder means of force, deceit, threat or any other means the Ukrainian SSR citizen's free exercise of his right to elect or be elected a deputy to a local soviet, to conduct a pre-electoral campaign, who publicly appeal or agitate for a boycott of the elections, as well as election commission members, officials of state and public organs who forge electoral documents, are witting of incorrect vote tallies, violate secret balloting, or have allowed other violations of this Law, bear the responsibility established by law. Individuals who wittingly publish or otherwise disseminate false information concerning a candidate for deputy will also be held accountable.

### **II. The Procedure for Designating Elections and the Formation of Election Okrugs**

#### **Article 15. The Designation of Elections**

Elections for deputies to Ukrainian SSR oblast, rayon, city, city rayon, settlement, and village soviets are designated by the by the Ukrainian SSR Supreme Soviet no later than four months before the expiration date of the authority of the deputies to local soviets.

A report on the day of elections is published in the press.

#### **Article 16. The Procedures of Formation of Election Okrugs**

Election okrugs are formed for the election of deputies to local soviets:

- from 100 to 300 okrugs in the oblast soviet of people's deputies;
- in the Kiev city soviet of people's deputies, 300 okrugs;
- in the Sevastopol city soviet of people's deputies, 200 okrugs;
- in the rayon soviet of people's deputies, from 50 to 100 okrugs;
- in the city soviet of people's deputies of an oblast-subordinate city, from 50 to 250 okrugs;
- in the city soviet of people's deputies of a rayon-subordinate city, from 25 to 75 okrugs;
- in the city rayon soviet of people's deputies, from 50 to 150 okrugs;
- in the settlement and village soviet of people's deputies, from 15 to 50 okrugs.

Within the limits of the norms established by this Article, the number of election okrugs for the election of deputies to each oblast, rayon, city, city rayon, settlement, and village soviet of people's deputies is determined by the appropriate soviet of people's deputies, based upon the population of voters, the particular features of the territory, and other local conditions.

Election okrugs are formed accordingly by the oblast, rayon, city, city rayon, settlement, or village election commission, with the consideration of the administrative-territorial organization, while observing roughly equal quantities of voters in the count of a single election okrug.

At the decision of the settlement and village soviet, election okrugs for elections of deputies to settlement and village soviets may not be formed. In this event, the elections of deputies are held based upon a general list of candidate for deputy (a multi-seat election okrug) by all the voters residing in the territory of the given soviet.

The list of election okrugs, with an indication of their boundaries and number of voters in the okrugs, is published by the oblast, rayon, city, city rayon, settlement, and village election commission no later than 15 days after the designation of election day.

### **III. Election Districts**

#### **Article 17. Formation of Election Districts**

In order to conduct voting and tallying of votes during elections of deputies to local soviets, the territory of

rayons, cities, and city rayons is divided into election districts. Election districts are also formed in military units. In hospitals and other in-patient treatment institutions, in locations where citizens are situated in remote regions with difficult access, as well as on ships situated at sea on election day, election districts may be formed which are part of the election okrugs according to their location, or according to the ship's port of record. The rayon, city, or city rayon soviet of people's deputies, or their presidium, resolve the issue of the relationship of election districts formed on ships located at sea on election day to the election okrugs at the port of the ship's registry for the elections of deputies to soviets of people's deputies.

#### **Article 18. The Procedure and Norm for Formation of Election Districts.**

Election districts are formed by rayon, city (except cities with rayon subdivisions), and city rayon soviets of people's deputies, or by their presidiums. In military units, election districts are formed by corresponding soviets of deputies or by their presidiums upon the recommendation of the units' or combined forces' commanders. On ships located at sea on election day, election districts are formed by the appropriate soviets of deputies to local soviets or their presidiums according to the ship's port of registry.

Election districts are formed no later than two months before the election. In military districts, and well as in regions with difficult access, and on ships located at sea on election day, election districts are formed within that same time period, and in exceptional cases, no later than five days before the election.

Election districts are formed with a quantity of no fewer than 20 and no more than 3,000 voters, and with more or fewer voters in cases as necessary.

The appropriate soviet of deputies or its presidium establishes a single enumeration of election districts within the territory of the rayon, city, or city rayon, and informs the voters as to the boundaries of each election district, with an indication of the location of the district election commission and the polling place.

### **IV. Election Commissions.**

#### **Article 19. The System of Election Commissions**

Election commissions are formed in order to conduct elections of deputies to local soviets, Oblast, rayon, city, city rayon, settlement, and village election commissions;

Okrug election commissions for elections of deputies to oblast, Kiev, Sevastopol city soviets of people's deputies;

Okrug election commissions may also be formed for elections of deputies of rayon, city (other than cities of rayon subdivision) city rayon soviets of people's deputies at the decision of the corresponding soviets of people's deputies or their presidiums;

#### **Election district commissions.**

Election commissions are not formed in election okrugs for elections of deputies to city (cities having rayon subdivisions), settlement, and village soviets of people's deputies. The authority of these okrug election commissions, and okrug election commissions for elections of deputies to rayon, city, (cities with oblast subordination), and city rayon soviets, if they are not formed, is exercised by the corresponding rayon, city, city rayon, settlement, or village election commissions.

#### **Article 20. The Formation of Oblast, Rayon, City, City Rayon, Settlement, and Village Election Commissions**

**The oblast, rayon, city, city rayon, settlement, and village election commission is formed by the corresponding soviet of people's deputies or its presidium no later than 10 days after the elections are designated with commission membership numbering: Oblast, Kiev, Sevastopol city: 15-19; rayon, city, city rayon: 13-17; settlement, village: 9-13.**

Representatives to the body of oblast, rayon, city, city rayon, settlement, and village election commissions are nominated by labor collectives or their councils, oblast, rayon, city, and city rayon public organizations or their executive organs, primary organizations of public organizations, collectives of professional-technical, specialized secondary, and higher educational institutions, residence-based voters' meetings, and military unit servicemen's meetings.

The term of authority of the oblast, rayon, city, city rayon, settlement, and election commission is five years.

#### **Article 21. The Authorization of the Rayon, City, City Rayon, Settlement, and Village Election Commission**

The oblast, rayon, city, city rayon, settlement, and village election commission:

- 1) Exercises control within the territory of the oblast, rayon, city, city rayon, settlement, and village soviet control over the execution of this Law and ensures its uniform application; additionally, the oblast, Kiev, and Sevastopol election commission provides explication of the procedures of the application of the Law, if necessary, appealing to the Ukrainian SSR Supreme Soviet with concepts of interpretations of this Law;
- 2) Forms election okrugs for elections to the corresponding soviets of people's deputies;
- 3) Directs the activity of inferior election commissions;
- 4) Allocates financial resources among election commissions; it controls the provision of space, transportation, and communications to the election commissions, and considers other matters of the elections' material and technical support;
- 5) Hears the reports of the okrug and district election commissions, executive and administrative organs of the local soviets of people's deputies, leaders of enterprises, institutions, and organizations, as well as organs of

public organizations on matters associated with the preparation for and conduct of the elections;

6) Provides for the preparation of election ballots for elections of deputies to corresponding local soviets of people's deputies in the format established by the Ukrainian SSR Supreme Soviet or its Presidium; 7) Publishes a report on the composition of the registered candidates for deputy to the corresponding soviet of people's deputies;

8) Registers the elected deputies, tallies the final election results in the corresponding soviet of people's deputies, publishes a report in the press about the election results and the list of those elected deputies;

9) Turns over to the mandate commission of the corresponding soviet of people's deputies the documentation necessary to verify the authority of the elected deputies;

10) Resolves matters associated with holding repeat elections;

11) Considers matters of rescinding a decision to register a candidate for deputy in cases stipulated by Article 39 of this Law;

12) Resolves matters associated with the organization of review of deputies;

13) Designates elections of deputies to replace departed deputies and ensures their conduct;

14) Considers announcements and grievances concerning the decisions and activities of the okrug and district election commissions, vacates the commissions decisions, halts their activity or makes other decisions on these matters. The decisions of the oblast, rayon, city, city rayon, settlement, and village election commission are final;

15) Exercises other authority in accordance with this Law and other laws of the Ukrainian SSR.

In addition, in exercising the authority of the okrug election commission, the rayon, city, city rayon, settlement, and village election commission:

16) Observes the compilation of lists of voters and their presentation for general familiarization;

17) Assists in the organization of nomination of candidates for deputy;

18) Registers the nominated candidates for deputy and their proxies, and issues them the appropriate identification; ensures the voters' familiarization with the biographic data on the candidates for deputy;

19) Together with the corresponding soviet of people's deputies or its presidium, labor collective, and organs of public organizations, organizes meetings of candidates for deputy with the voters both within labor collectives and at their residences;

20) Confirms the text of the election ballots for the election in the corresponding soviet of people's deputies, ensures the provision of ballots to district election commissions;

21) Determines the results of the elections of deputies to the corresponding local soviets of people's deputies, and issues identification to the elected deputies;

22) Organizes the conduct of runoff elections.

#### **Article 22. The Formation of Okrug Election Commissions**

The okrug election commission for the elections of deputies to oblast, Kiev, Sevastopol city, rayon, city, city rayon soviet of people's deputies is formed of 9-13 members by the corresponding soviet of people's deputies or its presidium no later than 25 days after the designation of the elections.

Representatives to the membership of the okrug election commission are nominated by labor collectives or their councils, oblast, rayon, city, and city rayon organs of public organizations or their executive organs, primary organizations of public organizations, public settlement, village, street, block, district, and building committees, collectives of professional-technical, specialized secondary, and higher educational institutions, residence-based voters' meetings and military unit voters' meetings.

In labor collectives and collectives of professional-technical, specialized secondary, and higher educational institutions number over 200 people, the nomination of representatives to the membership of the okrug election commission may be held at meetings of collectives of shops, departments, sectors, brigades, and other subdivisions of enterprises, institutions, organizations, and educational institutions if these subdivision number no fewer than 20 people.

The term of authority of the okrug election commissions expires after the recognition by the soviet of people's deputies of the authority of the elected deputies.

#### **Article 23. The Authority of the Okrug Election Commission**

The okrug election commission for elections of deputies to oblast, Kiev and Sevastopol city, city, and city rayon soviets of people's deputies:

1) Exercises control over the execution of this Law within the territory of the election okrug;

2) Observes the compilation of lists of voters and their presentation for general familiarization;

3) Aids the organization in the nomination of candidates for deputy;

4) Registers candidates nominated for deputy, their proxies, issues them the appropriate identification, and ensures the voters' familiarization with biographic data

on the candidates for deputy; 4) Hears the reports of the executive and managerial organs of the local soviets of deputies to local soviets, and enterprise, institution, and organization managers concerning matters of preparing for and conducting the elections;

5) Organizes, together with the corresponding soviet of people's deputies or its presidium, labor collectives, and organs of public organizations, meetings of candidates for deputies with the voters both in labor collectives and at residences;

6) Confirms the text of the election ballot for the election okrug, ensures the preparation of ballots, and provides the election district commissions with them;

7) Establishes and publishes in the election okrug the election results and issues identification to the deputies elected;

8) Organizes the conduct of a runoff and repeat elections, as well as elections for a deputy to replace a departed one;

9) Considers announcements and grievances against decisions and actions of district election commissions, and makes decisions on them;

10) Exercises other authority in accordance with this Law.

#### **Article 24. The Formation of District Election Commissions**

The district election commission is formed of 5-19 members no later than 45 days before the elections. As needed, at the decision of the corresponding soviet of people's deputies or its presidium, the numerical composition of the district election commission may be expanded or reduced.

Representatives to the body of the district election commission are nominated by labor collectives or their councils, rayon, city, and city rayon organs of public organizations, their primary organizations, or their organs, public settlement, village, street, block, district, or building committees, collectives of professional-technical, specialized secondary, and higher educational institutions, residence voters' meetings, and military unit servicemen's meetings.

In labor collectives, and collectives of professional-technical, specialized secondary, and higher educational institutions numbering over 200 people, the nomination of representatives to the membership of the district electoral commission may be held at meetings of collectives of shop, department, sector, brigade, and other other subdivisions of enterprises, institutions, organizations, and educational institutions if these subdivisions number no fewer than 20 people.

District election commissions are formed by rayon, city, (except in cities with rayon subdivisions), and city rayon soviets of deputies to local soviets or their presidiums.

The term of authority of the district election commissions expires after the corresponding soviet of people's deputies recognizes the authority of the elected deputies.

#### **Article 25. The Authority of the District Election Commission.**

The District election commission:

1) Compiles a list of the district's voters;

2) Familiarizes the voters with the list of voters, accepts and considers irregularities on the list, and resolves matters of introducing the appropriate changes on it;

3) Receives election ballots in sealed envelopes from voters who have changed their residence during the period between the presentation of the list of voters for general familiarization and the election day, and ensures the secret manifestation of the voters' will;

4) Informs the voters of registered candidates for deputy, the election day, and the polling place;

5) Ensures the preparation of premises for voting, the making of the ballot boxes;

6) Organizes the voting in the election district on election day;

7) Tallies the votes cast in the election district;

8) Considers announcements and grievances on issues of election preparations and balloting organization, and makes decisions on them;

9) Exercises other authority in accordance with this Law.

#### **Article 26. The Procedure of Nominating Representatives to the Membership of the Election Commissions, and Changes in Their Membership**

For the determination of labor collectives, public organizations, public settlement, village, street, block, district, and building committees, collectives of professional and technical, secondary specialized and higher educational institutions, residence-based voters' meetings, and military unit servicemen's meetings nominating representatives to the membership of the election commissions, the corresponding soviets of peoples deputies or their presidiums may hold conferences of authorized labor collectives, public organizations, public settlement, village, street, block, district, and building committees, collectives of professional and technical, secondary specialized and higher educational institutions, residence-based voters' meetings, and military unit servicemen's meetings located within the territory of the soviet, within the boundaries of the election okrug, or election district.

Information on the composition of the election commissions and their leaders is published for general knowledge.

An individual in the body of the election commission may be released from his responsibilities in the commission by the organ which formed the commission, by personal declaration, or by recommendation of the labor collective, its subdivisions, or council of labor collectives, an organ of the public organization or its executive organ, the primary organization of the public organization or its organ; the public settlement, village, street, block, district, and building committees; collectives of professional and technical, secondary specialized and higher educational institutions, residence-based voters' meetings which nominated the individual to commission membership. The chairman, deputy chairman, and secretary of the electoral commission may be released from their responsibilities both by personal declaration, and at the initiative of the commission itself. The nomination of a new chairman in the membership of the election commission and his confirmation, as well as the election of a new commission chairman, deputy chairman, or secretary is conducted according to the procedure established by this Law.

#### **Article 27. The Organization of the Work of the Election Commissions**

The chairman, deputy chairman, and secretary of the election commission are elected at a meeting of the corresponding commission.

Election commission meetings are competent if no less than two-thirds of the commission's membership participates in them. The commission's decisions are made by a majority of votes in open balloting of the general membership of the commission. Commission members in disagreement with its decisions have the right to express their own opinion, which is appended to the election commission session minutes in written form.

The execution of decisions of the election commission made within the limits of its authority is binding upon all state and public organs, enterprises, institutions, and organizations.

The decisions and actions of the electoral commission may be appealed to a superior electoral commission, and, in cases stipulated by this Law, in court as well.

During the period of preparations for and conduct of the elections, individuals in the membership of the election commission, at its discretion, may be released from fulfillment of production or official responsibilities, while maintaining his average salary at the expense of the funds allocated to conduct elections.

#### **Article 28. Assistance to the Election Commission in the Implementation of its Authority.**

State and public organs, enterprises, institutions, organizations, and officials are obligated to assist election

commissions in the implementation of their authority, and to provide them with the information and material necessary for their work.

The election commission has the right to address state and public organs, enterprises, institutions, organizations, and officials on matters associated with preparing for and conducting the elections; they are obligated to consider the matter raised and render the election commission a response within three days.

#### **V. The Lists of Voters**

##### **Article 29. The List of Voters and the Procedure for its Compilation**

The lists of voters for elections of deputies to local soviets is compiled in each election district and signed by the chairman and secretary of the district election commission. The district election commission may draw public representatives into participation in the work of compiling the list.

The executive committees of the city, rayon, city rayon, settlement, village and soviets of people's deputies ensure the inventory of voters, and transfer to the district election commissions the information concerning the voters living in the corresponding territory necessary for the compilation of the lists of voters.

Lists of servicemen-voters posted to military units, as well as family members of servicemen and other voters living in regions situated in military units are compiled on the basis of the data provided by the commanders of the military units. Military servicemen living off military units are included in residence-based lists of voters on a general basis.

Lists of voters in election districts formed in hospitals and other in-patient treatment institutions, as well as on ships located at sea on election day are compiled on the basis of data presented by the managers of the institutions indicated and the ships' captains.

The list indicates voters' surnames in an order convenient for the organization of balloting.

##### **Article 30. The Procedure for Citizens' Inclusion in the List of Voters**

All Ukrainian SSR citizens who have reached age 18 by or on election day, and who are living permanently or temporarily in the given election district at the moment the list is compiled and who have the right to vote are included on the list of voters.

A voter may be included in the list of voters only in one election district.

Voters living within the territory of a given election district who are for some reason excluded from the list are included in it by the decision of the district election commission.

### **Article 31. Citizens' Familiarization With the List of Voters and the Right to Appeal Irregularities on the List of Voters**

The lists of voters are presented for general familiarization 15 days before the elections, and in election districts formed in hospitals and other in-patient treatment institutions, as well as in exceptional cases in military units and on ships located at sea on election day, two days before the elections.

Citizens are ensured the opportunity to familiarize themselves with the list of voters on the premises of the district election commission, and to verify that the record is correct.

Each citizen has the right to appeal non-inclusion or incorrect inclusion in the list, or exclusion from the list, as well as any inaccuracies concerning the voter's data as indicated on the list. An application on irregularity on the list is examined by the district election commission, which is obligated to immediately review the application, make the necessary changes in the list, or give the applicant a copy of the grounds for the decision to reject his application within a two-day period, up to the eve of election day, and election day. This decision may be appealed in the rayon (city) people's court no later than five days before the election; the court is obligated to review the appeal within a three-day period. The decision of the rayon (city) court is final. The correction to the list of voters is immediately implemented by the district election commission in accordance with the court's decision.

### **Article 32. Ensuring the Electoral Rights of Citizens Who are Changing Their Residence**

If the voter changes his place of residence during the period between the presentation of the list of voters for general familiarization and election day, the district election commission issues an election ballot at the voters' request and upon presentation of his passport or other document establishing his identity. The completed ballot, in a sealed envelope, is dropped by the voter into a stamped or sealed box which is retained by the election commission until election day. The appropriate notation is made in the list of voters concerning the issuance of a ballot.

## **VI. Nomination and Registration of Candidates For Deputy**

### **Article 33. The Procedure for Nominating Candidates for Deputies to Local Soviets**

The nomination of candidates for deputies to local soviets in electoral okrugs begins three months before the elections and ends two months before the election.

The nomination of candidates for deputy is conducted:

1) At the meetings (conferences) of labor collectives, collectives professional-technical, specialized secondary and higher educational institutions. In labor collectives, collectives professional-technical, specialized secondary and

higher educational institutions which number no fewer than 200 people, nomination of candidates may take place at meetings of collectives of shops, departments, sectors, brigades, and other subdivisions of enterprises, institutions, organizations, and educational institutions, if there are no fewer than 20 people in these subdivisions;

2) At congresses, conferences, plenums, and general meetings of oblast, rayon, city, and city rayon organs of public organizations;

3) At residence-based voters' meetings which are convened by the corresponding soviets of deputies to local soviets or their presidiums jointly with the election commissions (with the exception of the election commissions) both at their initiative, and at the recommendation of public settlement, village, street, block, district, and building committees. A proposal for conducting a meeting is considered by the soviet of people's deputies or its presidium jointly with the election commission within three days. The date, time, and location of the meeting are determined, and the okrug's voters are informed of these well in advance. The meeting is competent if no fewer than 200 voters attend for the nomination of candidates for deputies to oblast, rayon, city, and city rayon soviets of people's deputies, and for nomination of candidates for deputy to city (cities with rayon subdivisions), settlement, and village soviets of people's deputies, no less than half the voters residing within the territory of the election okrug. In the event that the proposal to conduct a residence-based voters' meeting, the settlement, village, street, block, district, or building committee is rejected, a copy of the grounds for the decision. It may be appealed within three days to the presidium of a superior soviet of people's deputies, whose decision is final.

The nomination of candidates for deputy of city (cities with rayon subdivisions), settlement, and village soviets of people's deputies may be conducted at citizens' residence-based meetings (gatherings).

4) At servicemen's meetings convened by the military units' command. If holding a general military unit servicemen's meeting is not possible, meetings may be held by subdivisions. At the meetings (conferences), conditions are created for the discussion of an unlimited number of candidacies. Each participant in the meeting (conference) has the right to introduce a proposal on the candidates for deputy, to participate in their discussion, to support the proposed candidacies, or to introduce proposals for their removal, and may propose their own candidacy for discussion. The decision on the nomination of candidates for deputy is made at the meeting either by open or secret ballot. The meeting or organ of the public organization determines the system of voting.

The candidate is considered to have been nominated if over one-half of the meeting's participants or one-half of the session of the corresponding organ of the public organization voted for him. Minutes are kept on the nomination of the candidate for deputy, which are sent to the appropriate election commission within three

days. The candidate for deputy is informed of the meeting's (conference's) decision within two days.

Citizens working or residing in the territory of the corresponding soviet are nominated as candidates for deputies to local soviets.

A Ukrainian SSR citizen cannot be a deputy in more than two soviets of deputies to local soviets simultaneously.

#### **Article 34. The Registration of Candidates for Deputy to Local Soviets**

Candidates for deputies to local soviets are registered by the corresponding okrug, rayon, city, city rayon, settlement, or village election commissions as nominated by the labor collectives, organs of public organizations, collectives of professional-technical, specialized secondary, and higher educational institutions, residence-based voters' meetings and military unit servicemen's meetings which have nominated candidates for deputy.

Any number of candidates for deputy are presented for registration in the election okrug. The number of candidates presented for registration for elections of deputies to settlement and village soviets on the general list must exceed the number of deputy seats.

Registration of candidates for deputy from the electoral okrugs begins two months before election day and ends one month before election day. A decision is made to register candidates for deputy if the following documents are present: the minutes of the meetings (conferences) or the decision of the public organization's organ on the nomination of candidates for deputy for the given election okrug, as well as the declarations of the candidates for deputy of their consent to be on the ballot in the given election okrug. If they are nominated as candidates for deputy, individuals enumerated in Article 12 of this Law indicate in their declarations their intent to vacate posts held by them in the event of their election as deputies, or they will give notice of the withdrawal of their candidacy. In the event of the nomination as candidate for deputy of an individual who is a deputy in two other soviets of people's deputies, in his declarations, he indicates his intention to relinquish his deputy's authority in one of the soviets in the event of his election as deputy, or states the withdrawal of his candidacy.

The election commission compiles minutes of the registration of candidates for deputy. The okrug election commission sends the minutes of the registration, along with the candidates' declarations to the oblast, Kiev and Sevastopol city, corresponding rayon, city, city rayon election commission for elections to the soviets in which the okrug election commissions are formed.

The corresponding election commission registers the candidates for deputy nominated in observance of the requirements of this Law. Rejection of registration may

be appealed either to a superior electoral commission or the organ which formed the electoral okrug within three days.

A candidate for deputy may be on the ballot in only one election okrug for election to the corresponding soviet of people's deputies at any time.

A candidate for deputy cannot be a member of the oblast, rayon, city, city rayon, settlement, and village election commission, nor of an okrug or district election commission in which he has been nominated as a candidate. An individual nominated as candidate for deputy who is a member of one of the aforementioned commissions is considered to be relieved of his responsibilities in the commission from the moment of his registration as a candidate for deputy.

The appropriate election commission publishes no later than on the 4th day following registration of candidates for deputy a report on the registration indicating the surname, name, patronymic, year of birth, party status, education, position held (occupation), workplace and residence of each candidate for deputy.

#### **Article 35. Revocation of the Decision to Nominate a Candidate for Local Soviet Deputy. The Candidate's Withdrawal of his Candidacy**

The labor collective, organ of public organizations, collective of professional-technical, specialized secondary, and higher educational institutions, residence-based voters' meetings and military unit servicemen's meetings which have nominated a candidate for deputy to a local soviet have the right at any time before the elections to revoke their decision on the nomination of a candidate for deputy. The decision in this matter is made according to the procedure stipulated for the nomination of candidates for deputy, and is presented to the appropriate election commission.

At any time before the elections, the candidate for deputy may withdraw his candidacy, having declared this to the appropriate election commission.

The appropriate election commission informs the population of the election okrug or organ of the public organization of the revocation of the decision to nominate a candidate for deputy or of the candidate's withdrawal of his candidacy.

#### **Article 36. The Procedure for Nominating Candidates for Deputies to Local Soviet to Replace Departed Deputies**

In the event of the departure of a candidate for deputy to a local soviet after the end of the registration period, if no other candidates remain in the election okrug, and if the elections are for a settlement or village soviet where election are being held by a general list (multi-seat election okrug) and there remain fewer than or as many candidates as there are seats, the corresponding election commission appeals to the labor collectives, organs of public organizations, collectives of professional-technical, specialized secondary, and higher educational

institutions, residence-based voters' meetings and military unit servicemen's meetings with the proposal to nominate new candidates for deputy. If the departure of candidates occurs less than one month before the elections, the elections of the deputy is held two months after the regular elections.

The nomination of candidates for deputy to replace those departed is conducted in the order established by this Law.

#### **Article 37. The Election Ballot.**

The ballot includes in alphabetical order all registered candidates for Ukrainian SSR people's deputy, indicating the surname, name, patronymic, position held (occupation), workplace, and residence of each candidate for deputy. The election ballot is printed in the languages used by the population of the election okrug.

Election ballots are distributed to district election commissions no later than 15 days before the election.

#### **VII. Guarantees of the Activity of the Candidates for Deputies to Local Soviets**

##### **Article 38. The Right of the Candidate for Deputy to Local Soviets to Utilize the Mass Information Media and Receive Information**

From the moment of their nomination, candidates for deputy to local soviets have an equal right to speak at pre-election and other meetings, conferences, sessions, in the press and on television and radio. The material-technological resources for campaigning must be equal for all candidates for deputy.

State and public organs, managers of enterprises, institutions, organizations, and organs of the population's social independent action are obligated to render the candidate for deputy assistance in organizing meetings with voters and members of public organizations, and in receiving the necessary reference and informational materials.

The exploitation of their official position by candidates for deputy in conducting a pre-election campaign is not permitted.

##### **Article 39. The Pre-Election Program of the Candidate for Deputy to a Local Soviet**

The candidate for deputy to a local soviet speaks on the program of his future activity. The program of the candidate for deputy must not contradict the USSR Constitution or the Ukrainian SSR Constitution, or other USSR and Ukrainian SSR Laws, or inflame nationalistic or racial enmity or discord. In the event of the violation of this requirement, the oblast, rayon, city, or city rayon, upon the recommendation of the okrug election commission, and, where no okrug election commissions were not formed, in the soviets, the rayon, city, city rayon, settlement, or village election commission, in accordance with the conclusion of the oblast or rayon

(city) people's court may consider the matter of the registration of the candidate for deputy. The appropriate court is obligated to consider this matter within three days.

#### **Article 40. Pre-Election Campaigning**

Labor collectives, organs of public organizations, collectives of professional-technical, specialized secondary, and higher educational institutions, residence-based voters' meetings and military unit servicemen's meetings which have nominated candidates for deputy are given the right to unhampered campaigning for their candidates from the time of their registration by election commissions. Labor collectives, organs of public organizations, collectives of professional-technical, specialized secondary, and higher educational institutions, residence-based voters' meetings and military unit servicemen's meetings are granted access to rooms equipped for meetings and rallies, and the mass information media for conducting pre-election campaigning.

Ukrainian SSR citizens, labor collectives, and public organizations are guaranteed the opportunity for free and multilateral discussion of the political, business, and personal qualities of the candidates for deputy, as well as the right to campaign for or against a candidate at meetings, in the press, and on television and radio.

Candidates for deputy hold encounters with their voters both at meetings and in other forums convenient for the voters. Voters' meetings are organized by the election commission jointly with the corresponding soviet of people's deputies or its presidium, labor collectives, and organs of public organizations.

Voters are informed of the time and location of meetings and encounters well in advance.

The organizers and participants in meetings and other pre-election measures are obligated to observe Soviet laws and public order.

Campaigning is not permitted on election day.

#### **Article 41. The Proxies of the Candidate for Deputy to a Local Soviet**

A candidate for deputy may have up to three proxies to help him conduct his pre-election program, campaign for his election as deputy, represent his interests in mutual relations with state and public organs, voters, members of public organizations, and in election commissions.

A candidate for deputy determines his proxies at his discretion, and reports on them for registration in the okrug election commission. After registration, the election commission issues the proxies identification.

The proxy may not belong to the corresponding election commission. The candidate for deputy has the right to replace proxies at any time before the elections. The proxy's authority expires after the final election results in the electoral okrug.

**Article 42. The Release of the Candidate for Deputy to a Local Soviet from Production or Service Responsibilities for Participation in Pre-Election Measures.**

After registration, the candidate for deputy is released from production or service responsibilities while holding meetings with voters, speaking at pre-election meetings, rallies, on television and radio; he retains his average salary at the expense of the resources allocated to conduct elections.

**Article 43. The Right of the Candidate for Deputy to a Local Soviet to Free Transportation**

After registration, the candidate for deputy to an oblast, rayon, city, city rayon, settlement, or village soviet has the right to free transportation in all forms of passenger transport (with the exception of taxis) within the boundaries of the corresponding territory of the oblast, rayon, city, settlement, or village.

**Article 44. The Immunity of the Candidate for Deputy to a Local Soviet**

The candidate for deputy to a local soviet cannot be held criminally liable, arrested, subjected to measures of administrative punishment, or have a court order imposed upon him without the consent of the corresponding oblast, rayon, city, city rayon, settlement, or village election commission.

**VIII. The Procedure for Voting and Tallying Election Results****Article 45. The Time and Place of Voting**

During elections for deputies to local soviets, voting is held on election day from 7:00 to 20:00. The district election commission informs the voters of the time no later than 10 days before the elections.

In election districts formed in military units, in regions with difficult access, and on ships located at sea on election day, the district election commission may declare the voting to be final before 20:00 if all the voters included in the list have voted.

**Article 46. The Organization of Voting.**

Voting is conducted in specially designated premises which must be equipped with a sufficient quantity of booths or rooms for secret balloting, with places for issuing election ballots designated, and boxes for the votes set up such that those voting must pass by the booths or rooms for secret balloting as they approach the boxes.

The district election commission bears the responsibility for the organization of balloting, ensuring the secrecy of the voters' will, the premises' equipment, and supporting the necessary order in them.

Before the start of voting on election day, the ballot boxes are verified, sealed, or stamped by the chairman of the district election commission in the presence of the commission members.

Each voter votes personally; voting on behalf of other individuals is prohibited. Election ballots are issued upon presentation of a passport or other identification by the district election commission on the basis of the election district's list of voters or the list of voters at the congress or conference of the public organization, or plenum of its republic organ. The issuance of election ballots is noted in the list of voters.

In cases where individual voters cannot go to the polling place because of their state of health or other reasons, at their request, the district election commission entrusts certain commission members to organize voting in these voters' place of residence.

**Article 47. Conducting the Voting**

The election ballots are filled out by those casting ballots in the booth or room for secret balloting. The presence of anyone other than the person voting is prohibited while the ballot is being filled out. A voter who does not have the capacity to fill out the ballot independently has the right to invite into the booth or room for secret balloting another individual of his choosing, other than a member of the election commission.

In electing deputies, the voter crosses out on the ballot the surnames of the candidates for deputy against whom he is voting.

The person voting drops the completed ballots into the ballot box.

**Article 48. Tallying the Votes in the Election District**

The tally of votes in the election district is conducted by the district election commission for each candidate for deputy individually.

The ballot boxes and the sealed enveloped transferred to the district election commission by the voters who have changed their residence are unsealed by the district election commission after the commission chairman has declared the end of the voting. Unsealing the boxes before the end of the voting is prohibited. Before the ballot boxes are unsealed, all unused election ballots are counted and invalidated by the district election commission.

The district election commission determines the total number of voters based upon the lists of voters for the district, and the number of voters who received ballots or turned in sealed envelopes. On the basis of the ballots located in the ballot box and the envelopes, for each election okrug (within the boundaries of the given election district) the commission determines: the total number of voters who participated in the voting; the number of votes cast for, and the number of votes cast against each of the candidates for deputy; the number of

ballots recognized as invalid. Votes for surnames written in supplementally on the ballot by voters are not counted.

Non-standard election ballots, and ballots in which more than one candidate has been left are invalidated; in elections of deputies by general list, (multi-seat election okrug), ballots in which the number of candidates remaining exceeds the number of deputy seats for the given soviet are invalidated. In the event that any doubt arises as to the validity of the election ballot, the matter is resolved by the district election commission by means of voting.

The results of the tallying of votes are considered at the meeting of the district election commission and are entered into the minutes compiled individually for each election okrug. The minutes are signed by the chairman, deputy chairman, secretary, and commission members, and are sent to the appropriate okrug election commission or the commission executing its authority.

#### **Article 49. Ascertaining the Results of the Elections in the Election Okrug.**

On the basis of the minutes of the district election commissions, the okrug election commission or the commission executing its authority determines: The total number of voters in the okrug; the number of voters who received ballots; the number of voters who participated in the voting; the number of votes cast for, and the number of votes cast against each of the candidates for deputy; the number of ballots invalidated.

The candidate for deputy who received more than half of the votes of the voters who participated in the elections is considered to have been elected.

The corresponding election commission may invalidate the election based upon the admission of violations of this Law during the elections or the tallying of votes.

The elections are nullified if less than half of the voters on the list of voters participated in them, and in the case of the departure of all the candidates for deputy registered in the okrug, and, in the case of settlement or village soviet elections by general list (multi-seat election district), if there remains a number of candidate lesser than or equal to the number of deputy seats available.

The election results in the election okrug are established at a meeting of the corresponding election commission, and are entered in to the minutes. The minutes are signed by the chairman, deputy chairman, secretary, and commission members. The okrug election commission minutes are sent to the oblast, Kiev and Sevastopol city, appropriate rayon, city, and city rayon election commissions for election to the soviet in which the election commissions were formed.

A report of the results of the elections in the election okrug and by general list of elections of deputies to settlement and village soviets (multi-seat election district) is published by the election commission no later

than five days after elections. The report indicates: the total number of citizens included in the lists of voters; the number of voters who participated in the voting; the number of votes cast for, and the number of votes cast against each candidate; the number of invalid ballots; the surname, name, patronymic, education, position held (occupation), party status, workplace, and residence of the elected deputy.

#### **IX. The Procedure for Conducting and Publishing the Results of the Elections of Deputies to Local Soviets**

##### **Article 50. Registration of Deputies to Local Soviets**

On the basis of the minutes it receives from the election commissions, the oblast, rayon, city, city rayon, settlement, and village election commission registers the elected deputies.

The oblast, rayon, city, city rayon, settlement, and village election commission may invalidate the elections if violations of this Law took place during the course of the elections or counting of the votes, and refuse to register a deputy.

##### **Article 51. Publication of the Results of the Elections of Deputies to Local Soviets**

The oblast, rayon, city, city rayon, settlement, and village election commission publishes in the press a report on the results of the election for the entire republic, and a list of the elected deputies to local soviets no later than seven days after the elections, in alphabetical order, indicating the deputy's surname, name, patronymic, position held (occupation), party status, workplace, and residence, and the election district from which he was elected deputy, as well as publishing a list of okrug in which runoffs or repeat elections will be held.

##### **Article 52. The Deputy's Identification and Lapel Pin**

After the publication in the press of the list of deputies to local soviets, the okrug election commission, or the commission exercising its authority issues each elected deputy identification of his election.

After the confirmation of the elected deputies' authority by the corresponding soviet of people's deputies, the identification issued to them regarding election to deputy is exchanged for the identification of the deputy. The deputy is also issued a lapel pin.

#### **X. Runoffs, Repeat Elections, and Elections of Deputies to Local Soviets to Replace Deputies Who Have Departed; Election in Newly-Created Administrative-Territorial Units**

##### **Article 53. Runoffs**

If more than two candidates for deputy to local soviets were on the ballot, and not one of them was elected, the okrug election commission, or commission exercising its authority, decides on holding runoff voting in the okrug with the two candidates for deputy who received the greatest number of votes.

A runoff for election of deputies to a settlement or village soviet by general list (multi-seat okrug) is held by the corresponding election commission in the event that there is an equal number of votes cast for individual candidates for deputy, preventing the determination of the deputies elected.

Runoffs in the election okrug are conducted no later than two weeks afterwards, in observance of the requirements of this Law. The voters are informed that a runoff is being conducted.

The candidate for deputy who received the greatest number of the ballots of the voters in the runoff is considered to have been elected in runoff voting with regard to the remaining candidates.

#### **Article 54. Repeat Elections**

If no more than two candidates for deputy to local soviets were on the ballot in the election okrug, and neither one of them was elected, or the elections in the election okrug were nullified or invalidated, or the repeat voting did not allow an elected deputy to be determined, the corresponding okrug election commission makes a decision to hold a repeat election. In this event, the okrug election commission may also decide on the necessity of holding elections under a new membership of okrug and district commissions. If in the elections of deputies to a settlement or village soviet by general list (multi-seat okrug) the number of deputies elected is less than the number of deputy seats, or if the elections were invalidated, or if a runoff did not allow the determination of an elected deputy, the settlement or village election commission decides to hold repeat elections. The lacking number of deputies is elected in repeat elections, or all deputies, if the elections were recognized as null and void.

Repeat elections are held no later than two months after the general elections. Voting is conducted in the same election districts and according to the same lists of voters compiled for the general elections. The formation of election commissions, the nomination and registration of candidates for deputy and other measures are conducted according to the procedure established by this Law. The voters are informed that repeat voting is to be conducted.

Candidates who did not receive the necessary number of votes and were not elected deputies are not on the ballot in repeat elections.

#### **Article 55. Holding Elections for Deputies to Local Soviets to Replace Those who have Departed**

In the event that a local soviet invalidates the authority of individual deputies to local soviets, and well as in the event of a deputy's review, or premature termination of deputy's authority for other reasons, new elections are held in the corresponding election okrugs, in a settlement or village soviet where elections had been held by general list (multi-seat election okrug), new elections are held

within a two-month period from the moment of the deputy's departure. Elections are scheduled by the corresponding oblast, rayon, city, city rayon, settlement, and village election commission no later than one month before they are to be held, and they are organized in accordance with the requirements of this Law. In this case, the okrug election commission is formed five days after, and the district election commission, seven days after the designation of the elections, and registration of candidates for deputy begins 15 days before the elections. Lists of voters are presented for general familiarization 10 days before the elections.

The district election commission may declare the voting final before 20:00 if all the voters included in the list have voted.

In the event of the departure of a deputy less than six months before the expiration of the term of authority of the local soviets, elections for a deputy to replace the one departed are not held.

#### **Article 56. Conducting Elections of Deputies to Local Soviets in Newly-Created Administrative-Territorial Units**

Elections of deputies to local soviets in newly-created administrative-territorial units are conducted in cases where the formation of a local soviet is impossible in view of the absence, or insufficiency of deputies elected to the soviet in the territory within the newly-created oblast, rayon, city, city rayon, settlement, or village soviet.

Elections of deputies to the oblast soviet are designated by the Ukrainian SSR Supreme Soviet or its Presidium; election of deputies to rayon, city, city rayon, settlement or village soviets, by a superior soviet of people's deputies or its presidium no later than two months after the date of the formation of the administrative-territorial unit, and are conducted according to the procedure established by Article 55 of this Law. An oblast, rayon, city, city rayon, settlement, or village election commission is formed by the organ which designated the elections, three days after their designation.

The district election commission may declare the voting to be final before 20:00 if all the voters included in the list have voted.

#### **XI. Election Documents and the Procedures for their Preservation. The Deputy's Lapel Pin. The Ballot Box**

##### **Article 57. The Forms of Election Documents, the Models of the Deputy's Lapel Pin and the Ballot Box**

The form of the list of voters, the minutes of the election commissions, the forms and color of the election ballots, the forms of the candidate for deputy's and proxy's identification, the identification of election of the deputy, and the identification of deputy status, as well as the model of the ballot box, are established by the Ukrainian SSR Supreme Soviet or its Presidium.

#### **Article 58. The Procedure and Terms of Preservation of Election Documents**

After their work is completed, the correspondence of the okrug and district election commissions is transferred to the corresponding oblast, rayon, city, city rayon, settlement, or village election commission.

The procedure for and term of preservation is established by the Ukrainian SSR Supreme Soviet or its Presidium.

### **Uzbek SSR**

#### **Uzbek SSR Draft Law on Election of People's Deputies for Local Soviets**

*90US0086A Tashkent PRAVDA VOSTOKA in Russian  
31 Aug 89 pp 1-3*

[“Draft Law of the Uzbek SSR on Elections to the Uzbek SSR Local Soviets of People's Deputies”]

#### **[Text] I. General Provisions**

##### **Article 1. Fundamentals of Elections to Local Soviets of People's Deputies of the Uzbek SSR**

Elections of people's deputies to local soviets of the Uzbek SSR—oblast, rayon, city, municipal rayon, settlement, and kishlak—will be conducted in each single-mandate electoral okrug on the basis of the universal, equal, and direct right of suffrage, with a secret ballot and the free expression of the voters' will.

##### **Article 2. Universal Right of Suffrage**

Elections of deputies to local soviets of people's deputies will be universal: The right to elect and to be elected is granted to all citizens of the Uzbek SSR who have reached the age of 18.

All direct or indirect restrictions of the voting rights of citizens of the Uzbek SSR in connection with origin, social and property status, race and nationality, gender, education, language, religion, duration of residence, and occupation are prohibited.

Mentally ill citizens who have been pronounced incompetent by a court and have been confined or are undergoing compulsory treatment by court order will not participate in elections.

##### **Article 3. Equal Right of Suffrage**

Elections of deputies to local soviets of people's deputies of the Uzbek SSR will be equal: Each voter will have one vote; voters and candidates for people's deputy will participate in elections on an equal basis.

Women and men will have equal voting rights.

Servicemen will have equal voting rights with all other citizens.

#### **Article 4. Direct Right of Suffrage**

Elections of deputies to local soviets of people's deputies of the Uzbek SSR will be direct: The deputies of local soviets of people's deputies of the Uzbek SSR will be elected directly by the citizens.

#### **Article 5. Secret Ballot**

The ballot in elections of deputies to local soviets of people's deputies of the Uzbek SSR will be secret: No oversight of the voter's wishes will be permitted.

#### **Article 6. Voting Rights of Citizens of Other Union Republics**

Citizens of other union republics will have equal voting rights with citizens of the Uzbek SSR within the territory of the Uzbek SSR.

#### **Article 7. Organization of Elections by Election Commissions**

Elections for local soviets of people's deputies of the Uzbek SSR will be organized by election commissions made up of representatives of work teams, social organizations, assemblies of teams of educators and employees along with students of higher and secondary specialized academic institutions, neighborhood voters, servicemen of different military units, and public initiative groups.

#### **Article 8. Glasnost in Preparations for Elections to Local Soviets of People's Deputies of the Uzbek SSR and in Organization of Elections**

Preparations for elections to local soviets of people's deputies of the Uzbek SSR and the organization of the elections will be conducted by election commissions, work teams, and social organizations openly and publicly.

Election commissions will inform citizens of their work and of the creation of electoral okrugs and election districts, the composition, location, and work hours of election commissions, and voters lists. Election commissions will inform citizens of the results of conferences of representatives of okrug voters when these are held, of the registration of candidates for deputy, of the biographical data of registered candidates, of the ballots cast for each candidate, and of the election results.

Meetings of election commissions, including those at which candidates are registered, the votes are counted in an election district, and the results of okrug elections and the general election results are determined, can be attended by representatives of work teams, social organizations, assemblies of teams of educators and employees along with students of higher and secondary specialized academic institutions, neighborhood voters, servicemen of different military units, and public initiative groups, authorized agents, and representatives of the

press, television, and radio. The authority of these representatives should be certified in the appropriate documents or a decision of a work team, social organization, assembly of teams of educators and employees along with students of higher and secondary specialized academic institutions, neighborhood voters, servicemen, or public initiative group. Their intention to attend meetings of election commissions or polling places on election day must be communicated in advance to the corresponding election commissions.

The news media will cover the preparations for, and conduct of, elections to local soviets of people's deputies of the Uzbek SSR in the languages used by the population of the electoral okrug. Election commissions, state and public organs, and work teams will provide them with information about election preparations and proceedings.

**Article 9. Participation by Citizens, Work Teams, and Social Organizations in Election Preparations and Proceedings for Local Soviets of People's Deputies of the Uzbek SSR**

Citizens of the Uzbek SSR will take part in election preparations and proceedings for local soviets of people's deputies of the Uzbek SSR either through work teams, social organizations, public initiative groups, assemblies of teams of educators and employees along with students of higher and secondary specialized academic institutions, neighborhood voters, servicemen of different military units, and conferences of representatives of okrug voters or directly.

Work teams and social organizations will take part in election preparations and proceedings for local soviets of people's deputies of the Uzbek SSR through their representatives in election commissions and directly.

**Article 10. The Right to Nominate Candidates for Deputy in Local Soviets of People's Deputies of the Uzbek SSR**

The right to nominate candidates for deputy in local soviets of people's deputies of the Uzbek SSR is granted to work teams, oblast, rayon, city, and municipal rayon organs of social organizations, including their primary organizations, assemblies of teams of educators and employees along with students of higher and secondary specialized academic institutions, neighborhood voters, and servicemen of different military units, and in elections for settlement and kishlak soviets, also to the work teams of shops, divisions, sections, brigades, and other subdivisions of enterprises, establishments, and organizations and public initiative groups.

**Article 11. Mandates of Electors to Deputies of Local Soviets of People's Deputies of the Uzbek SSR**

Voters will give their deputies mandates.

The procedure for the submission, generalization, discussion, and organization of the fulfillment of mandates is established by the Law of the Uzbek SSR.

**Article 12. Incompatibility of Status of Deputy of Local Soviet of People's Deputies of the Uzbek SSR with an Official Position**

Members of executive committees of local soviets of people's deputies, with the exception of the chairman of the executive committee, the heads and deputy heads of sections and departments of executive committees, chairmen and members of rayon (or municipal) people's courts, the chief state arbiter and oblast state arbiters cannot serve simultaneously as deputies of the soviet which appointed or elected them.

**Article 13. Expenditures Connected with Elections to Local Soviets of People's Deputies of the Uzbek SSR. Election Financing**

Expenditures connected with election preparations and proceedings for local soviets of people's deputies of the Uzbek SSR will be covered by state funds. Other sources of campaign financing are prohibited.

Enterprises, establishments, organizations, and state and public organs will allow election commissions the use of the facilities and equipment needed for election preparations and proceedings.

Candidates for deputy in local soviets of people's deputies of the Uzbek SSR and voters will not pay the expenses of election preparations and proceedings.

**Article 14. Responsibility for Violations of Laws on Elections to Local Soviets of People's Deputies of the Uzbek SSR**

People who use violence, deception, threats, or other means to prevent the free exercise of the right of each citizen of the Uzbek SSR to elect or be elected deputies of local soviets of people's deputies of the Uzbek SSR and to conduct campaign propaganda, as well as members of election commissions and officials of state and public organs who forge election documents, deliberately miscount votes, violate the secrecy of the ballot, or commit other violations of this law will be held accountable by law. People who publish or otherwise transmit false information impugning the honor and dignity of a candidate for deputy or who insult members of election commissions will also be held accountable.

**II. Procedure of Scheduling Elections and Forming Electoral Okrugs**

**Article 15. Scheduling Elections for Local Soviets of People's Deputies of the Uzbek SSR**

Elections of deputies to all local soviets of people's deputies of the Uzbek SSR will be held simultaneously and will be scheduled by the Uzbek SSR Supreme Soviet no later than four months prior to the expiration of the term of current deputies of local soviets of people's deputies of the Uzbek SSR.

The date of election day will be announced in the press.

#### **Article 16. Formation of Electoral Okrugs**

Electoral okrugs will be formed for elections of people's deputies for the local soviets of the Uzbek SSR:

- from 150 to 300 electoral okrugs for the oblast and Tashkent City soviets of people's deputies;
- from 75 to 120 electoral okrugs for the rayon soviet of people's deputies;
- from 75 to 120 electoral okrugs for the city soviet of people's deputies in cities of oblast jurisdiction;
- from 35 to 75 electoral okrugs for the city soviet of people's deputies in cities of rayon jurisdiction;
- from 75 to 120 electoral okrugs for the municipal rayon soviet of people's deputies;
- from 30 to 70 electoral okrugs for the settlement and kishlak soviet of people's deputies.

Within the limits set by this law, the number of electoral okrugs for elections of people's deputies to each oblast soviet of people's deputies and the Tashkent City Soviet will be decided by the Uzbek SSR Supreme Soviet or its Presidium, and the number for elections of people's deputies to each rayon, city, municipal rayon, settlement, and kishlak soviet of people's deputies will be decided by a superior soviet of people's deputies or its presidium, with a view to the number of voters, territory, and other local conditions.

Electoral okrugs will be formed by the corresponding oblast, rayon, city, municipal rayon, settlement, and kishlak election commissions, generally with an equal number of voters in the territory covered by each soviet of people's deputies, at the request of the corresponding soviet of people's deputies or its presidium. Administrative-territorial divisions and other features will be taken into account when the boundaries of electoral okrugs are defined.

One people's deputy will be elected to the local soviet from each electoral okrug.

Lists of electoral okrugs, indicating their boundaries and the locations of okrug election commissions, will be published by the corresponding election commission no later than the 10th day after the date of the election has been announced.

### **III. Election Districts**

#### **Article 17. Creation of Election Districts**

The territory of rayons, cities, and municipal rayons will be divided into election districts for voting and the counting of votes for elections of deputies to local soviets of people's deputies of the Uzbek SSR. Election districts will also be established in military units.

Election districts can be established in sanatoriums and rest homes, in hospitals and other in-patient treatment

facilities, and in locations where citizens live in remote and almost inaccessible areas.

#### **Article 18. Procedure and Standards of Establishment of Election Districts**

Election districts will be established by rayon, city (with the exception of cities of rayon jurisdiction), and municipal rayon soviets of people's deputies or their presidiums.

Election districts in military units will be established by local soviets of people's deputies or their presidiums at the request of unit or company commanders.

Election districts will be established no later than two months prior to the elections. Election districts in military units and in remote and almost inaccessible areas will be established at the same time, or no later than five days prior to the elections in exceptional cases.

Election districts will generally be established for no less than 20 and no more than 3,000 voters.

Executive committees of the corresponding soviets of people's deputies will allocate a polling place for each election district.

Local soviets of people's deputies or their presidiums will inform voters of the boundaries of each election district and the location of the district election commission and polling place.

### **IV. Election Commissions**

#### **Article 19. Network of Election Commissions**

The following election commissions will be formed to hold elections for local soviets of people's deputies of the Uzbek SSR:

- an oblast election commission for elections to the oblast soviet of people's deputies;
- a rayon election commission for elections to the rayon soviet of people's deputies;
- a city election commission for elections to the city soviet of people's deputies;
- a municipal rayon election commission for elections to the municipal rayon soviet of people's deputies;
- a settlement election commission for elections to the settlement soviet of people's deputies;
- a kishlak election commission for elections to the kishlak soviet of people's deputies;
- okrug election commissions;
- district election commissions.

Okrug election commissions will not be formed in electoral okrugs for elections to settlement and kishlak soviets of people's deputies. In these cases the functions

of the okrug election commission will be performed by the district election commissions in the election districts on the territory of these electoral okrugs.

**Article 20. The Formation of Oblast, Rayon, City, Municipal Rayon, Settlement, and Kishlak Election Commissions**

The oblast, rayon, city, municipal rayon, settlement, and kishlak election commission will be formed by the corresponding soviet of people's deputies or its presidium no later than the 10th day after the date of the election has been announced, and will consist of 7-17 commission members.

Representatives to serve as members of oblast, rayon, city, municipal rayon, settlement, and kishlak election commissions will be nominated by work teams or their councils, oblast, rayon, city, and municipal rayon organs of social organizations, including their primary organizations, assemblies of teams of educators and employees along with students of higher and secondary specialized academic institutions, neighborhood voters, and servicemen of different military units, and also by the work teams of shops, divisions, sections, brigades, and other subdivisions of enterprises, establishments, and organizations and public initiative groups for settlement and kishlak election commissions. Soviets of people's deputies or their presidiums can hold conferences with authorized agents to determine the work teams, social organizations, assemblies of teams of educators and employees along with students of higher and secondary specialized academic institutions, neighborhood voters, servicemen of different military units, and public initiative groups nominating representatives to serve as members of election commissions.

**Article 21. Powers of Oblast, Rayon, City, Municipal Rayon, Settlement, and Kishlak Election Commissions**

The oblast, rayon, city, municipal rayon, settlement, and kishlak election commission organizing elections of deputies to the appropriate soviet of people's deputies will:

- 1) Oversee the observance of this law and guarantee its uniform application throughout the territory of the oblast, rayon, city, municipal rayon, settlement, and kishlak;
- 2) Direct the activity of election commissions;
- 3) Form electoral okrugs for elections to oblast, rayon, city, municipal rayon, settlement, and kishlak soviets of people's deputies;
- 4) Distribute funds among election commissions, oversee the provision of election commissions with facilities, transportation, and communications, and investigate other matters connected with material and technical supplies for elections;
- 5) Arrange for the printing of ballots for elections to the appropriate soviet of people's deputies in the format

established by the Uzbek SSR Supreme Soviet Presidium and supply okrug election commissions with them;

- 6) Receive reports from okrug election commissions on elections to the corresponding soviet of people's deputies and from district election commissions, executive committees of the corresponding soviets of people's deputies, and other local state and public organs on matters connected with election preparations and proceedings;
- 7) Register elected deputies, calculate the results of elections to the corresponding soviet of people's deputies, and publish reports on election results and lists of elected deputies in the press;
- 8) Turn over all documents needed to verify the authority of deputies to the mandate commission of the appropriate soviet of people's deputies;
- 9) Investigate statements and complaints about the decisions and actions of election commissions and make the final decisions on them;
- 10) Exercise other powers in accordance with this law.

**Article 22. Formation of Okrug Election Commissions**

The okrug election commission for elections to the oblast, rayon, city, and municipal rayon soviet of people's deputies will be formed in each electoral okrug no later than three and a half months prior to the elections and will consist of 7-13 members.

Representatives to serve as members of the okrug election commission will be nominated by work teams or their councils, oblast, rayon, city, and municipal rayon organs of social organizations, including their primary organizations, assemblies of teams of educators and employees along with students of higher and secondary specialized academic institutions, neighborhood voters, and servicemen of different military units.

okrug election commissions will be formed by the appropriate oblast, rayon, city, and municipal rayon soviets of people's deputies or their presidiums.

**Article 23. Powers of Okrug Election Commission**

The okrug election commission organizing okrug elections will:

- 1) Oversee the observance of this law in the okrug;
- 2) Coordinate its activity with district election commissions;
- 3) Receive reports from the executive and administrative organs of the corresponding soviets of people's deputies and the managers of enterprises, establishments, and organizations located on the territory under the soviet's jurisdiction on matters connected with election preparations and proceedings;

- 4) Oversee the compilation of voters lists and their public disclosure;
- 5) Organize the nomination of candidates for deputy;
- 6) Convene and hold conferences of representatives of okrug voters when necessary and set the standards of representation for work teams, organs of social organizations, and assemblies of neighborhood voters and servicemen of different military units for participation in conferences;
- 7) Register nominated candidates for deputy and issue the appropriate documents to them;
- 8) Organize meetings with candidates for the voters in conjunction with work teams and social organizations;
- 9) Approve the text of the ballot for the electoral okrug and arrange for the printing of ballots and the provision of district election commissions with them;
- 10) Determine the results of okrug elections, publish the results in the press, and issue certifying documents to the elected deputies;
- 11) Organize run-off elections, repeat elections, and elections to replace departed deputies;
- 12) Decide matters connected with the recall of a deputy;
- 13) Investigate statements and complaints about the decisions and actions of district election commissions and make decisions on them;
- 14) Exercise other powers in accordance with this law.

#### **Article 24. Formation of District Election Commissions**

The district election commission will be formed no later than 45 days prior to the elections and will consist of 5-19 members. When necessary, the number of commission members can be increased or decreased.

Representatives to serve as members of the district election commission will be nominated by work teams or their councils, rayon, city, and municipal rayon organs of social organizations or their primary organizations, assemblies of teams of educators and employees along with students of higher and secondary specialized academic institutions, neighborhood voters, servicemen of different military units, and public initiative groups.

District election commissions will be established by rayon, city (with the exception of cities of rayon jurisdiction), and municipal rayon soviets of people's deputies or their presidiums.

#### **Article 25. Powers of District Election Commission**

The district election commission will:

- 1) Compile voters lists for each district;
- 2) Familiarize voters with the voters list, investigate reports of inaccuracies in the list, and make decisions on necessary changes in the list;
- 3) Receive voter envelopes from voters who will be away from their place of residence on election day and will be unable to cast a ballot;
- 4) Inform the population of the date of election day and the location of the polling place;
- 5) Arrange for the preparation of the polling place and ballot-boxes;
- 6) Organize the voting on election day in the election district;
- 7) Count the votes cast in the election district;
- 8) Investigate statements and complaints about election preparations and the organization of the voting and make decisions on them;
- 9) Exercise other powers in accordance with this law.

#### **Article 26. Organization of Work of Election Commissions**

The chairman, deputy chairman, and secretary of the election commission will be elected at the first meeting of the commission.

Meetings of the election commission will be official if they are attended by at least two-thirds of the commission members. Commission decisions will be made by a majority vote of the total membership in an open ballot. Commission members who do not agree with a decision have the right to express a special opinion and attach it, in written form, to the protocol.

The decisions made by election commissions within their sphere of competence will be binding for all state and public organs and for enterprises, establishments, and organizations.

The decisions and actions of election commissions can be appealed in a superior election commission, and also in a court in certain cases specified in this law.

One of the members of the election commission can be relieved by a commission decision of the need to perform production or clerical duties during the period of election preparations and proceedings, with the retention of his average wage, to be covered by election funds.

Election commissions will cease to function after the authority of elected deputies has been recognized by the appropriate soviet of people's deputies.

#### **Article 27. Procedure of Changing the Membership of Election Commissions**

The chairman, deputy chairman, secretary, or member of an election commission can be relieved of his commission duties by an organ formed by the commission, at his personal request or at the request of his work team,

social organization, assembly of teams of educators and employees along with students of higher and secondary specialized academic institutions, neighborhood voters, servicemen of a military units, or public initiative group. The nomination of a new representative to serve as a member of the election commission will be conducted according to the procedure specified in this law.

**Article 28. Assistance of Election Commissions in the Exercise of Their Powers**

State and public organs, enterprises, establishments, and organizations, and officials are obligated to assist election commissions in the exercise of their powers and provide them with the information and materials they need for their work.

The election commission has the right to address questions connected with election preparations and proceedings to state and public organs, enterprises, establishments, organizations, and officials, and they are obligated to investigate the matter and provide the election commission with a response within three days.

**V. Voters Lists**

**Article 29. Voters Lists and the Procedure of Their Compilation**

A voters list will be compiled for each election district by the district election commission and will be signed by its chairman and secretary. The district election commission can request representatives of the public to take part in the compilation of the list.

The executive committees of city, municipal rayon, settlement, and kishlak soviets of people's deputies will keep records of voters and supply district election commissions with information pertaining to the voters living in their territory and needed for the compilation of voters lists.

The lists of voters serving in military units and members of the families of servicemen and other voters living on the grounds of military units will be compiled on the basis of data submitted by military unit commanders. Servicemen not living on the grounds of military units will be included on the voters lists for their permanent place of residence.

Voters lists for election districts in sanatoriums and rest homes and in hospitals and other in-patient treatment facilities will be compiled on the basis of data submitted by the administrators of these establishments.

The names of voters will be listed in the order most convenient for the organization of voting.

**Article 30. Procedure of Including Citizens on Voters Lists**

The voters list will include all citizens of the Uzbek SSR and citizens of other union republics who have reached the age of 18 before or on election day and who are

residing permanently or temporarily within the territory of the election district at the time the list is compiled.

A voter cannot be included on the voters lists of other election districts.

**Article 31. Public Disclosure of Voters Lists and the Right to Report Inaccuracies in Voters Lists**

Voters lists will be made public 15 days prior to the elections, or two days prior to the elections in the election districts established in sanatoriums and rest homes, in hospitals and other in-patient treatment facilities, and in remote and almost inaccessible areas. The district election commission will inform voters of the place and time of the public disclosure of the list.

Citizens will be able to read the voters list and verify the accuracy of the list on the premises of the district election commission.

Each citizen will have the right to submit complaints about the non-inclusion, inaccurate inclusion, or exclusion of a voter and inaccuracies in voter data on the list. Reports of inaccuracies will be investigated by the district election commission, which will be obligated to investigate the petition, make the necessary corrections in the list, or give the petitioner a copy of a valid decision to reject his petition, within no more than two days, or immediately if the complaint is submitted on the day before the election or on election day. This decision can be appealed in a rayon (or municipal) people's court no later than five days prior to the election, and the court must investigate the complaint within three days. The decision of the rayon (or municipal) people's court will be final. The correction of the voters list in accordance with a court decision will be made immediately by the district election commission.

**VI. Nomination and Registration of Candidates for Deputy in Local Soviets of People's Deputies of the Uzbek SSR**

**Article 32. Procedure of Nominating Candidates for Deputies of Local Soviets of People's Deputies of the Uzbek SSR**

The nomination of candidates for deputies of local soviets of people's deputies of the Uzbek SSR will begin three months prior to the elections and end two months prior to the elections.

Candidates will be nominated at meetings (or conferences) of the work teams of enterprises, establishments, and organizations, and of assemblies of teams of educators and employees along with students of higher and secondary specialized academic institutions. Candidates for the oblast and Tashkent city soviets of people's deputies will be nominated at meetings of work teams made up of at least 100 workers. The work team of a branch or other subdivision will also have the right to nominate a candidate for deputy. The meeting will be considered official if it is attended by more than half of

all of the members of the team, or at least two-thirds of the delegates in the case of a conference.

Candidates for deputy from social organizations will be nominated by their oblast, rayon, city, and municipal rayon organs or at meetings of their primary organizations.

Meetings of neighborhood voters to nominate candidates for deputy will be convened by the appropriate soviets of people's deputies or their presidiums in conjunction with okrug election commissions or will be held on the initiative of voters. The meeting will be official if it is attended by at least the specific number of okrug voters set by the appropriate soviets of people's deputies or their presidiums in conjunction with the oblast, rayon, city, municipal rayon, settlement, or kishlak election commission.

The proposal to hold a meeting of neighborhood voters will be considered by the soviet of people's deputies or its presidium in conjunction with the okrug election commission within three days. okrug voters will be informed of the date, time, and place of the meeting. If the request is denied, a copy of a valid decision will be issued to the public initiative group. This decision can be appealed in a rayon (or municipal) people's court, which is obligated to investigate the complaint within five days. The decision of the rayon (or municipal) people's court will be final.

Meetings of servicemen for the nomination of candidates for deputy will be convened by military unit commanders and will be official if they are attended by at least half of the military unit personnel.

The nomination of candidates for deputy from public initiative groups will be conducted at their general meetings or meetings of their organs.

The necessary conditions will be established at meetings for the consideration of an unlimited number of candidates. Each person attending the meeting will have the right to suggest candidates, take part in the discussion, and support or challenge nominations. Each person who attends the meeting can also suggest himself as a candidate for deputy. The work team, social organization, assembly of teams of educators and employees along with students of higher and secondary specialized academic institutions, neighborhood voters, servicemen of different military units, and public initiative group will nominate a single candidate for each electoral okrug. The decision to nominate a candidate will be made at the meeting by an open or secret ballot. The voting procedure will be decided at the meeting.

The candidate will be considered nominated if he wins the support of more than half of the people voting or the majority of the general membership of the corresponding organ of the social organization. A protocol will be drawn up on the nomination of the candidate for deputy. The candidate will be informed of the decision within two days.

Candidates for deputies of local soviets will generally be nominated by citizens working or living within the territory of the corresponding soviet of people's deputies.

Citizens of the Uzbek SSR cannot serve simultaneously as people's deputies in more than two soviets of people's deputies.

#### **Article 33. Conference of Representatives of Okrug Voters**

In accordance with the Constitution of the Uzbek SSR, conferences of representatives of okrug voters will be held in okrugs and convened by okrug election commissions.

Delegates to conferences of representatives of okrug voters will be chosen by work teams, organs of social organizations, assemblies of teams of educators and employees along with students of higher and secondary specialized academic institutions, neighborhood voters, servicemen of different military units, and public initiative groups in line with the standards set by the okrug election commission. Each work team, organizations, assembly of neighborhood voters, and public initiative group nominating a candidate for people's deputy should be represented by a number of delegates proportional to the number of voters. Delegates can be chosen at meetings and conferences.

The conferences of representatives of okrug voters will make decisions on the nomination of candidates for registration in the appropriate election commission. Lists of all candidates nominated in the okrug and the basic data on them will be submitted in advance to the conference delegates.

At the conference, each candidate will have a chance to present his program of future action. Any delegate will have the right to debate the candidates and make his own suggestions.

Any number of candidates can be registered. The decision will be made by an open or secret ballot. The voting procedure will be decided at the conference. The decision on each specific candidate will be considered final if more than half of the conference delegates vote. The results of discussions of the candidates will be recorded in the conference protocol.

The decisions of the conference can be appealed in the okrug election commission or the corresponding oblast, rayon, city, municipal rayon, settlement, or kishlak commission within three days.

#### **Article 34. Registration of Candidates for Deputy in Local Soviets of People's Deputies of the Uzbek SSR**

Candidates for deputy in local soviets of people's deputies of the Uzbek SSR will be registered by the okrug election commission at the request of work teams, organs of social organizations, assemblies of teams of educators and employees along with students of higher and secondary specialized academic institutions, neighborhood

voters, servicemen of different military units, and public initiative groups nominating candidates, and at the request of a conference of representatives of okrug voters if one has been held.

The registration of candidates for deputy in local soviets of people's deputies of the Uzbek SSR will begin two months prior to election day and end a month before election day.

The decision to register candidates for deputy will presuppose the possession of the following documents: protocols of meetings for the nomination of candidates for deputy in the corresponding electoral okrug, the protocol of the conference of representatives of okrug voters if one has been held, announcements by candidates for deputy of their consent to run on the ballot for the corresponding electoral okrug. The statements of people listed in Article 12 of this law who are nominated as candidates for deputy will announce their intention to give up their present position if they are elected or announce the withdrawal of their names from consideration. The okrug election commission will draw up a protocol on the registration of candidates for deputy, and it will be submitted, along with the statements of the candidates, to the appropriate election commission for elections to the oblast, rayon, city, municipal rayon, settlement, or kishlak soviet of people's deputies.

Candidates for deputy nominated in line with the requirements of this law will be registered by the appropriate election commission. The refusal to register a candidate can be appealed within three days in the appropriate oblast, rayon, city, municipal rayon, settlement, or kishlak election commission, the decision of which will be final.

A candidate for deputy can run simultaneously for the same soviet of people's deputies only in a single electoral okrug. The candidate will report his consent to run to the okrug election commission no later than three days after the nominations are over.

The candidate cannot be a member of the corresponding oblast, rayon, city, municipal rayon, settlement, or kishlak election commission or a okrug or district election commission organizing the voting in his electoral okrug. A person nominated as a candidate for deputy and serving on one of these commissions will be relieved of his commission duties at the time he is registered as a candidate.

Within four days after the registration of candidates, the corresponding election commission will publish a report in the press, listing the first and last names and patronymic, date of birth, occupation (or title), party affiliation, place of employment, and place of residence of each candidate for deputy.

**Article 35. Annulment of Decision to Nominate a Candidate for Deputy in a Local Soviet of People's Deputies of the Uzbek SSR. Removal of Candidate's Name from Consideration**

The work team, organ of a social organization, assembly of teams of educators and employees along with students of higher and secondary specialized academic institutions, neighborhood voters, servicemen of a military unit, or public initiative group nominating a candidate for deputy will have the right to annul its decision to nominate the candidate at any time prior to the election. A decision on this matter will be made in accordance with the procedure specified for the nomination of candidates and will be submitted to the appropriate okrug election commission.

The candidate for deputy can remove his name from consideration at any time prior to the election by announcing this to the appropriate okrug election commission.

**Article 36. Procedure of Nominating Candidates for Deputies of Local Soviets of People's Deputies of the Uzbek SSR in Place of Those Who Choose Not to Run**

When candidates for deputy choose not to run after the end of the nomination period or after the candidates have been registered and when there are no other candidates in the electoral okrug, the okrug election commission will request work teams, social organizations, assemblies of teams of educators and employees along with students of higher and secondary specialized academic institutions, neighborhood voters, servicemen of different military units, and public initiative groups to nominate new candidates. If candidates are nominated less than 15 days prior to the elections, the election of deputies for the corresponding electoral okrug will be held a month after the general elections.

The nomination of candidates in place of those who choose not to run will be conducted according to the procedure established by this law.

**Article 37. Election Ballot**

All of the candidates for deputy registered in the electoral okrug will be listed on the ballot in alphabetical order under their last and first names and patronymics, along with their occupations (or titles) and places of employment and residence. The ballots will be printed in the languages used by the population of the electoral okrug.

**VII. Guarantees of Performance of Candidate for Deputy in Local Soviets of People's Deputies of the Uzbek SSR**

**Article 38. Campaign Platform of Candidate for Deputy in Local Soviets of People's Deputies of the Uzbek SSR**

The candidate for deputy in local soviets of people's deputies of the Uzbek SSR will have the right to propose a program of future action. The candidate's program should not be directed against the bases of the state and social order recorded in the Constitution of the USSR and the Constitution of the Uzbek SSR or contain war propaganda or appeals for ethnic hatred and the restriction of the constitutional rights of citizens.

**Article 39. The Right of the Candidate for Deputy in Local Soviets of People's Deputies of the Uzbek SSR to Address Gatherings, Use the News Media, and Obtain Information**

Candidates for deputy in oblast, rayon, city, municipal rayon, settlement, and kishlak soviets of people's deputies of the Uzbek SSR will have equal rights to address campaign rallies and other gatherings, conferences, and meetings and make statements in the press and on television and radio as soon as they have been registered by okrug election commissions.

State and public organs, managers of enterprises, establishments, and organizations, and public initiative groups are obligated to assist candidates for deputy in organizing meetings with voters and the members of social organizations and in acquiring the necessary reference and informational materials.

**Article 40. Authorized Agents of the Candidate for Deputy in Local Soviets of People's Deputies of the Uzbek SSR**

The candidate for deputy in local soviets of people's deputies of the Uzbek SSR will have the right to have up to three authorized agents to help him with his campaign, conduct his campaign publicity, and represent his interests in interrelations with state and public organs, voters, members of social organizations, and election commissions.

The candidate for deputy will choose his own authorized agents and will register their names with the okrug election commission. The election commission will register their names after candidates have been registered and will issue them authorizing documents.

An authorized agent cannot be a member of an election commission.

**Article 41. Campaign Activities**

The candidate for deputy in local soviets of people's deputies of the Uzbek SSR will have the right to organize meetings with his constituency at rallies or any other form of gathering convenient for the voters. Campaign rallies will be organized by the election commission in conjunction with the corresponding soviet of people's deputies or its presidium and public organizations.

Work teams, social organizations, assemblies of teams of educators and employees along with students of higher and secondary specialized academic institutions, neighborhood voters, servicemen, and public initiative groups nominating candidates for deputy will have the right to campaign for their candidates without any restrictions. Election commissions will provide them with furnished facilities for meetings and rallies and will give them a chance to use the news media for campaign publicity.

Citizens of the Uzbek SSR, work teams, social organizations, and servicemen will have guaranteed opportunities for the free and thorough discussion of the political, professional, and personal qualities of candidates for

deputy and the right to campaign for or against candidates at rallies, in the press, and on television and radio.

Voters will be informed of the time and place of rallies and meetings in advance.

Campaign publicity will not be permitted on election day.

**Article 42. Relieving Candidates for Deputy in Local Soviets of People's Deputies of the Uzbek SSR of Production or Clerical Duties for Participation in Campaigns**

After the candidate for deputy in local soviets of people's deputies of the Uzbek SSR has been registered, he will be relieved of his production or clerical duties to conduct meetings with voters and address campaign gatherings and rallies on television and radio, with the retention of his average salary, to be covered by election funds.

**Article 43. The Right of the Candidate for Deputy in Local Soviets of People's Deputies of the Uzbek SSR to Free Transportation Services**

After the candidate for deputy in local soviets of people's deputies of the Uzbek SSR has been registered, he will have the right to travel for free on all forms of passenger transport (with the exception of taxis) within the territory of the corresponding soviet.

**Article 44. Inviolability of the Candidate for Deputy in Local Soviets of People's Deputies of the Uzbek SSR**

The candidate for deputy in local soviets of people's deputies of the Uzbek SSR cannot be prosecuted for criminal offenses, arrested, or subjected to administrative penalties imposed by court order without the consent of the appropriate oblast, rayon, city, municipal rayon, settlement, or kishlak election commission.

**VIII. Procedure of Casting Ballots and Counting Votes**

**Article 45. Time and Place of Voting**

Voting will take place on election day from 8:00 to 20:00 local time. The okrug election commission will inform voters of the time and place to cast their ballots no later than 10 days prior to the election.

The district election commission in election districts established in military units, locations where citizens live in almost inaccessible areas, sanatoriums and rest homes, and hospitals and other in-patient treatment facilities can announce the end of voting at any time if all of the voters on the list have cast their ballots.

**Article 46. Organization of Voting**

Voting will be conducted in specially designated facilities furnished with a sufficient number of booths or rooms in which voters can cast their ballots in secret, a specific place for the issuance of ballots, and ballot-boxes. Ballot-boxes will be located in such a way that voters will have to approach them through the booths or rooms in which they will cast their votes in secret.

The district election commission will be responsible for organizing the voting, guaranteeing the secrecy of votes, equipping the facilities, and maintaining the necessary order in them.

Before the voting starts on election day, the ballot-boxes will be inspected and then sealed or locked by the chairman of the district election commission in the presence of all commission members.

Each voter will cast his own ballot personally and will not be permitted to cast ballots for other people. Ballots will be issued to voters by the district election commission on the basis of the voters list of the election district upon the presentation of identification cards or other identifying documents. The issuance of a ballot will be signified by a checkmark on the voters list.

The voter who will not be in his place of residence on election day can ask the district election commission in his place of residence for a list of candidates, choose a candidate, and leave the marked list with the district commission in a sealed envelope. The voter will sign the voters list when he receives the list of candidates. The format of the list of candidates will be decided by the okrug election commission.

When voters cannot go to the polling place because of poor health or other reasons, they can request the district election commission to ask commission members to arrange for voting in the place where these voters are.

Voters who are not included on the voters list for some reason will be included in a supplement to the voters list upon the submission of a document attesting to their identity and place of residence.

#### **Article 47. Election Proceedings**

Voters will mark their ballots in a private booth or room. No one but the voter can be present when he marks his ballot. The voter who cannot mark a ballot by himself will have the right to choose any person other than a member of the election commission to accompany him into the booth or room.

In elections the voter will cross out the names of the candidates he is voting against on the ballot.

The voter will drop his marked ballot into the ballot-box.

#### **Article 48. Counting Votes in the Election District**

The district election commission will count the votes in the election district separately for each electoral okrug and for each candidate for deputy in elections for the corresponding soviet of people's deputies.

The ballot-boxes will be opened by the district election commission in the presence of all its members after the commission chairman has announced the end of voting. Ballot-boxes cannot be opened prior to the end of voting. Before ballot-boxes are opened, all unused ballots will be counted and voided by the district election commission.

The district election commission will use the main and supplementary voters lists to determine the total number of voters in the district and the number of voters receiving ballots and list of candidates. The commission will use the ballots in the ballot-boxes and the lists of candidates for each electoral okrug (within the election district) to determine the total number of voters casting ballots, the number of votes cast for and against each candidate for deputy, and the number of invalid ballots and lists of candidates. The votes for names written in by voters on ballots and lists of candidates will not be counted.

Ballots and lists of candidates of any format other than the standard one, ballots and lists from other okrugs, and ballots and lists on which the voter has failed to cross out every name but one will be invalidated. When there are doubts about the validity of a ballot or list, the district election commission will decide the matter with a vote.

After the votes have been counted, the results will be discussed at a meeting of the district election commission and recorded in a protocol drawn up for each electoral okrug. The protocol will be signed by the chairman, deputy chairman, secretary, and members of the commission and will be sent to the appropriate okrug election commission.

#### **Article 49. Establishment of Election Results for the Electoral Okrug**

The okrug election commission will use the protocols of district election commissions to determine the total number of voters in the okrug who were issued ballots and lists of candidates, the number of voters casting ballots, the number of votes cast for and against each candidate for deputy, and the number of invalid ballots and lists.

A candidate who receives more than half of the votes of all the voters casting ballots will be the deputy-elect.

The okrug election commission can invalidate the elections if violations of this law are committed during the casting of ballots or the counting of votes.

Elections will be nullified if less than half of the voters on voters lists cast ballots.

The results of elections in the electoral okrug will be confirmed at a meeting of the okrug election commission and recorded in a protocol. The protocol will be signed by the chairman, deputy chairman, secretary, and members of the commission and sent to the appropriate oblast, rayon, city, municipal rayon, settlement, or kishlak election commission.

#### **IX. Procedure of Totaling and Publishing Results of Elections of Deputies to Local Soviets of People's Deputies of the Uzbek SSR**

#### **Article 50. Registration of Deputies Elected to Local Soviets of People's Deputies of the Uzbek SSR. Publication of Election Results**

On the basis of protocols received from okrug election commissions, and also from district election commissions in the cases specified in Article 19, the oblast, rayon, city, municipal rayon, settlement, or kishlak election commission will register the deputies elected to the corresponding soviet of people's deputies of the Uzbek SSR.

The oblast, rayon, city, municipal rayon, settlement, or kishlak election commission can invalidate the elections if violations of this law were committed during the casting of ballots or the counting of votes and refuse to register a deputy.

#### **Article 51. Publication of Results of Elections of Deputies to Local Soviets of People's Deputies of the Uzbek SSR**

Reports on the results of elections to the oblast, rayon, city, municipal rayon, settlement, or kishlak soviet of people's deputies and lists of elected deputies will be published by the corresponding election commission no later than the 5th day after the elections in alphabetical order, with the last and first names and patronymic, occupation (or title), party affiliation, and place of employment and residence of each deputy and the electoral okrug from which he was elected deputy.

#### **Article 52. Certificate and Badge of the Deputy of the Local Soviet of People's Deputies of the Uzbek SSR**

The okrug election commission will issue the deputy elected in the okrug an election certificate after the list of deputies registered by the election commission has been published, or after a report on okrug election results has been published in the case of run-off elections or elections to replace a departed deputy.

After deputy powers have been conferred on the deputy-elect by the soviet of people's deputies, he will be issued a deputy certificate in place of his election certificate. The deputy will be issued a badge at the same time as the certificate.

#### **X. Run-Off Elections, Repeat Elections, and Elections of Deputies for Local Soviets of People's Deputies of the Uzbek SSR To Replace Departed Deputies. Elections in New Administrative-Territorial Units**

##### **Article 53. Run-Off Election**

If more than two candidates run for the office of deputy in the electoral okrug and none is elected, the okrug election commission will schedule a run-off election in the okrug for the two candidates with the highest number of votes. The run-off election in the electoral okrug will be held within two weeks and will meet all of the requirements of this law.

The deputy receiving more votes than the other candidate in the run-off election will be the deputy-elect.

##### **Article 54. Repeat Elections**

Repeat elections will be held in the following cases:

- a) if no more than two candidates run for the office of deputy in the electoral okrug and neither is elected;
- b) if the okrug elections are nullified or invalidated;
- c) if the run-off election did not produce a deputy-elect.

Repeat elections will be held by the okrug election commission at the request of the appropriate oblast, rayon, city, municipal rayon, settlement, or kishlak election commission.

Furthermore, it might decide that repeat elections should be held by okrug or district election commissions with a new membership. The voting will take place in the same election districts and with the same voters lists compiled for the general elections.

Repeat elections will be held within a month after the general elections. The creation of election commissions, the registration of candidates for deputy, and other procedures will be carried out in the manner specified in this law. A candidate for deputy who does not receive more than half of the votes of voters who cast ballots cannot run again for the office of deputy in the same electoral okrug or another one for the same soviet.

#### **Article 55. Elections of Deputies to Local Soviets of People's Deputies of the Uzbek SSR in Place of Departed Deputies**

If a soviet of people's deputies should invalidate the powers of certain people's deputies or if a deputy should be recalled or should cease to exercise his deputy powers before his term is up for other reasons, new elections will be held in the corresponding electoral okrugs within two months after the deputy's departure. The date of the elections will be announced by the appropriate soviet of people's deputies or its presidium no later than a month before they are held. The elections will be organized in accordance with the requirements of this law. A okrug election commission will be formed on the third day after the election date has been announced, and district election commissions on the 5th day. The registration of candidates for deputy will end 15 days prior to the election.

Oblast, rayon, city, municipal rayon, settlement, and kishlak election commissions will not be formed in elections to replace departed deputies.

A district election commission will not be formed in those cases when the territory of the electoral okrug is smaller than or equal to the territory of the election district. The corresponding okrug election commission will be responsible for collecting the ballots, counting the votes, and determining the results of okrug elections. Voters lists will be compiled for the electoral okrug. The end of voting can be announced prior to 20:00 local time if all of the voters on the voters list have cast their ballots.

If a deputy leaves office less than half a year prior to the end of his term in the soviet of people's deputies, a new deputy will not be elected.

**Article 56. Elections to Soviets of People's Deputies in New Administrative-Territorial Units**

Elections to soviets of people's deputies in new administrative- territorial units will be held when the creation of the soviet of people's deputies is made impossible by the absence or insufficient number of deputies within the territory of the new oblast, rayon, city, municipal rayon, settlement, or kishlak.

Elections to an oblast soviet of people's deputies will be scheduled by the Uzbek SSR Supreme Soviet or its Presidium, and elections to a rayon, city, municipal rayon, settlement, or kishlak soviet of people's deputies will be scheduled by the corresponding superior soviet or its presidium, within a month after the creation of the administrative- territorial unit, and the elections will be held in accordance with this law.

The creation of electoral okrugs and the approval of the membership of the oblast, rayon, city, municipal rayon, settlement, or kishlak election commission and okrug election commissions will be conducted respectively by the Uzbek SSR Supreme Soviet or its Presidium and the soviet of people's deputies or its presidium scheduling the elections.

The end of voting can be announced prior to 20:00 local time if all of the voters on the voters lists have cast their ballots.

**Uzbek SSR Local Election Law Comparison**

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[Editorial Report] Tashkent PRAVDA VOSTOKA in Russian on 25 Oct 89 carries on pp 1, 3-4 the Uzbek SSR Law on Elections of Deputies to Uzbek SSR Local Soviets of People's Deputies. Comparison of the text of the law to the text of the draft Uzbek SSR Law on Elections to Uzbek SSR Local Soviets of People's Deputies as published in PRAVDA VOSTOKA 31 August 1989 pp 1-3 reveals the following changes in the draft to have been incorporated in the law as adopted:

As indicated, the title of the law has been changed from "Uzbek SSR Law on Elections to Uzbek SSR Local Soviet of People's Deputies" to "Uzbek SSR Law on Elections of Deputies to Uzbek SSR Local Soviets of People's Deputies." Correspondingly, throughout the text of the law, the phrase "elections to Uzbek SSR local soviets" has been changed to "elections of deputies to Uzbek SSR local soviets." Further specific instances of analogous changes will not be noted in this report.

In Article 1, the words "Elections of people's deputies" are changed to: "Elections of deputies."

In Article 7, and in subsequent occurrences throughout the draft law, the words "students of higher and secondary specialized educational institutions" are changed to: "students of higher educational institutions"; such changes are made in Articles 8, 9, 10, 20, 22, 24, 27, 32, 33, 34, 35, 36 and 41.

In Article 9, the phrase "public grassroots agencies" is removed from its place on the list following "public organizations" and inserted after the words "and military personnel by military unit."

In Article 10, the words "oblast, rayon, city and city rayon agencies of public organizations, including their primary organizations" are changed to: "public organizations"; the words "and, in the case of elections to settlement and village soviets—also to the collectives of shops, divisions, sectors, brigades and other subdivisions of enterprises, institutions and organizations" are deleted.

In Article 11, the words "with the exception of the ispolkom chairman, the executives and deputy executives of departments and administrations of executive committees, the chairmen and members of rayon (city) people's courts, and the oblast chief state arbitrator and state arbitrators" are changed to: "with the exception of the chairmen of those agencies, the executives of departments, administrations and other subdivisions of local soviet executive committees, people's judges and state arbitrators."

In Article 16:

In the first paragraph, where numbers of election okrugs are listed, the phrase "from 75 to 120 election okrugs" is changed to "from 50 to 120 election okrugs" in the three instances in which it occurs, i.e., with reference to rayon soviets, city soviets in cities under oblast jurisdiction, and city rayon soviets; the phrase "from 30 to 70 election okrugs," with reference to settlement and village soviets, is changed to: "from 20 to 60 election okrugs."

In the second paragraph, the phrase "for election of people's deputies" is changed to "for elections of deputies" in the two instances in which it occurs.

In Article 17, at the end of the second paragraph, following the words "election districts may be formed," the clause "that belong to election okrugs according to their location" is added.

In Article 19, in the second paragraph, the words "city [adjective] (for cities under rayon jurisdiction)" are inserted between the words "for elections to" and the words "settlement and village soviets."

In Article 21:

The words "if necessary, make a representation to the Uzbek SSR Supreme Soviet concerning the interpretation of this law" are added at the end of part (1).

A new part (9) is added, as follows: "(9) resolves issues connected with the conducting of repeat elections."

Accordingly, parts (9) and (10) of the draft are renumbered as parts (10) and (11), respectively.

At the end of part (10) (renumbered as part 11), the following words are added: "and other Uzbek SSR laws."

In Article 22:

At the end of paragraph two, the following sentence is added: "In order to determine the labor collectives, public organizations, meetings of collectives of instructors and office employees together with the students of higher educational institutions, and meetings of voters by place of residence and military personnel by military unit that are nominating representatives to serve on a commission, the corresponding soviets of people's deputies or their presidiums may hold conferences of their delegates."

In Article 23, following the words "the okrug election commission" in the first sentence, the words "for elections of deputies to oblast, rayon, city (except for cities under rayon jurisdiction), and city rayon soviets of people's deputies" are inserted.

In Article 26, in the fifth paragraph, the words "one member of an election commission" are changed to "a member of an election commission."

In Article 32:

In the second paragraph, following the words "The right to nominate a candidate for deputy also belongs to the collective of a branch or other subdivision," the following words are added: "and, in elections to city (for cities under rayon jurisdiction), village and settlement soviets—also to the collectives of shops, divisions, sectors, brigades and other subdivisions of enterprises, institutions and organizations, if more than 50 people work in those subdivisions, and to public grassroots agencies."

In the fifth paragraph, first sentence, the words "A proposal to hold a meeting of voters" are changed to: "A proposal by voters to hold a meeting"; the words "a copy of the decision, accompanied by reasons, is provided to a public grassroots agency" are changed to: "a copy of the decision, accompanied by reasons, is provided to voters."

In the eighth paragraph, next-to-last sentence, the words "nominates one candidate per election district" are changed to "nominates one candidate for deputy per election district."

In Article 33:

In the first paragraph, following the words "convened by okrug election commissions," the words "at the proposal of the majority of collectives that have nominated candidates for deputy" are inserted.

In the second paragraph, following the words "in this connection each labor collective, organization," the words "meeting of voters by place of residence" are changed to "meeting of military personnel and of voters by place of

residence"; following the words "and public grassroots agency," the words "that has nominated a candidate for people's deputy" are deleted.

In the fifth paragraph, following the second sentence, a new paragraph is begun, starting with the words: "The procedures for voting...."; in the next sentence, the words "more than half of the participants in the conference" are changed to "more than half of those taking part in the voting."

In Article 36, at the end of the first paragraph, the words "one month after general elections" are changed to "two months after general elections."

In Article 49, an additional, sixth paragraph is added, which reads as follows:

"A report on election results by election okrug for the general list for elections of deputies to village and settlement soviets of people's deputies is published by the appropriate election commission no later than by the fifth day following the elections. The report indicates the total number of citizens included on the voter lists; the number of voters taking part in the voting; the number of votes cast for and the number of votes cast against each candidate for deputy; the number of invalid ballots and election sheets; the surname, given name, patronymic, position held (occupation), party affiliation, place of work and place of residence of the elected deputy."

In Article 51, the phrase "no later than on the fifth day" is changed to: "no later than on the seventh day"; the words "election okrug from which he has been elected deputy" are changed to "election okrug for which he has been elected deputy."

In Article 52, following the phrase "after publication of the list of deputies who have been registered by the appropriate election commission," the words "and, in the case of repeat elections or elections of a deputy to fill a vacant seat—after publication of the report on election results by election okrug" are deleted.

In Article 53, in the first paragraph, following the words "runoff election between the two candidates who have received the greatest number of votes," the words "and informs the okrug's voters of this" are inserted.

In Article 55:

In the first paragraph, the words "an okrug election commission is formed on the third day following the setting of elections, and district election commissions—on the fifth day" are changed to read as follows: "an okrug election commission is formed 25 days, and district election commissions—15 days before elections."

In the third paragraph, following the words "acceptance of election ballots," the words "and election sheets" are inserted.

The adopted law is signed by M. Ibragimov, chairman of the Presidium of the Uzbek SSR Supreme Soviet, and L. Bekkulbekov, secretary of the Presidium of the Uzbek SSR Supreme Soviet, and dated Tashkent, 20 October 1989.

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